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DOCUMENTS FROM THE OFFICE OF THE CLERK OF THE SUPREME COURT
TERRITORY OF OKLAHOMA

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JOURNAL OF THE SUPREME COURT OF THE TERRITORY OF OKLAHOMA, VOLUME 1, MAY 29, 1890 - SEPTEMBER 7, 1895.

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COVER TITLE: RECORD, SUPREME COURT, TERRITORY OF OKLAHOMA.

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United States of America } ss.
Territory of Oklahoma }

Be it remembered that on the twenty ninth day of May in the year of our Lord one thousand eight hundred and ninety, the Supreme Court of the Territory of Oklahoma was duly opened at the City of Guthrie in said Territory and that there were present as follows:

Edward B. Green Chief Justice
Abraham J. Seay Associate Justice
John G. Clark Associate Justice

Warren S. Lurty Marshal of said Territory and Horace Speed District Attorney.

Public proclamation of the opening of said Court having been made by said Marshal, the following proceedings were had and done, that is to say:

In re the appointment
of a Clerk of the Supreme
Court of the Territory of
Oklahoma. }

It is ordered by the Court that Charles H. Filson be and is appointed Clerk of the Supreme Court of the Territory of Oklahoma.

It is ordered by the Court that the oaths of office and Commissions of the Judges of this Court be spread at large upon the records of the Court commencing with the Chief Justice

Benjamin Harrison
President of the United States of America,
To all who shall see these presents greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Edward B. Green of Illinois I have nominated and by and with the advice and consent of the Senate do appoint him Chief Justice of the Supreme Court of the Territory of Oklahoma and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto Him the said Edward B. Green for the term of four years from the day of the date hereof, subject to the conditions and provisions prescribed by Law

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington the 14th day of May in the year of our Lord One thousand eight hundred and ninety, and of the Independence of the United States of America the One hundred and fourteenth.

Seal

By the President   Benj Harrison   W.H.H. Miller Attorney G.

United States of America } ss.
Territory of Oklahoma. }

I E. B. Green do solemnly swear that I have never voluntarily borne [illegible] arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance or counsel or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted nor attempted to exercise the functions of any Office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended Government authority, power or Constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will faithfully discharge the duties of the office on which I am about to enter.

So help me God.

Edward B. Green

Subscribed and sworn to before me this 27th day of May 1890.
Geo. W. Steele Governor.

Benjamin Harrison,
President of the United States of America.
To all who shall see these Presents Greeting:

Know Ye That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Abraham J. Seay of Missouri, I have nominated and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto Him the said Abraham J. Seay for the term of four years from the date hereof subject to the conditions and provisions prescribed by Law.

Seal.

In testimony whereof I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.
Given under my hand at the City of Washington the 10th day of May in the year of our Lord one thousand eight hundred and ninety and of the Independence of the United States of America the one hundred and fourteenth.

By the President. Benj Harrison
W. H. H. Miller, Attorney General

United States of America
Territory of Oklahoma } ss

I Abraham J. Seay do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended Government, authority, power or constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support the Constitution of the United States and defend the same against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter — So help me God

A. J. Seay

Subscribed and sworn to before me this May 24th 1890
Geo. W. Steele. Governor.

Benjamin Harrison
President of the United States of America
To all who shall see these Presents Greeting

Know Ye: that reposing special trust and confidence in the Wisdom, Uprightness and Learning of John G. Clark, of Wisconsin, I have nominated, and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto Him the said John G. Clark for the term of four years from the date hereof subject to the conditions and provisions prescribed by Law.

Seal

In testimony whereof I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.
Given under my hand at the City of Washington the 14th of May in the year of our Lord one thousand eight hundred and ninety and of the Independence of the United States of America the one hundred and fourteenth.

By the President — Benj. Harrison.
W. H. H. Miller.
Attorney General

United States of America
City of Guthrie (ss)
Territory of Oklahoma }

I, John G. Clark, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority in hostility to the United States; that I have not yielded a voluntary support to any pretended Government, authority, power or Constitution within the United States hostile or inimical thereto, and I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign or domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

John G. Clark.

Subscribed and sworn to before me this 23^d^ day of May A.D. 1890.

Geo. W. Steele, Governor.

And it is further ordered by the Court
That the commission and oath of Office of the District Attorney of the Territory of Oklahoma be entered at large upon the records of this Court.

Benjamin Harrison
President of the United States of America
To all who shall see these presents greeting:

Know ye, that reposing special trust and confidence in the ability, integrity and learning of Horace Speed of Oklahoma, I have nominated and by and with the advice and consent of the Senate, do appoint him Attorney of the United States in and for the Territory of Oklahoma — and do authorize and empower him to execute and fulfil the duties of that Office according to Law, and to have and to hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said Horace Speed, for the term of four years from the date hereof, subject to the conditions prescribed by Law.

In Testimony Whereof,

Seal.

I have caused these Letters to be made patent and the Seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington the [illegible] day of May in the year of our Lord one thousand eight hundred and ninety, and of the Independence of the United States of America the one hundred and fourteenth.

By the President: Benj. Harrison.

W. H. H. Miller

Attorney General.

United States of America } S. S.
Territory of Oklahoma }

I Horace Speed do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or Constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, So help me God.

Horace Speed.

Subscribed and sworn to before me this 27th day of May A.D. 1890.

Geo. W. Steele.

Governor.

United States of America } S. S.
Territory of Oklahoma. }

I, Horace Speed, do solemnly swear that I will support the Constitution of the United States, and faithfully discharge the duties of my office as Attorney for the United States, in and for the Territory of Oklahoma,

Horace Speed.

Subscribed and sworn to before me this 27th day of May A. D. 1890.

Geo. W. Steele.

Governor.

It is further ordered by the Court:
That the Commission and oath of Office of the Marshal of the Territory of Oklahoma be entered at large upon the records of this Court.

Benjamin Harrison
President of the United States of America
To all who shall see these presents greeting:

Know ye, that reposing special trust and confidence in the Integrity, Ability and Diligence of Warren S. Lurty of Virginia I have nominated and by and with the advice and consent of the Senate do appoint him Marshal of the United States in and for the Territory of Oklahoma and do authorize and empower him to execute and fulfil the duties of that office according to Law and to have and to hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said Warren S. Lurty for the term of four years from the day of the date hereof subject to the conditions prescribed by Law.

In testimony whereof I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal

Given under my hand at the City of Washington the 14th day of May in the year of our Lord one thousand eight hundred and ninety and of the Independence of the United States the one hundred and fourteenth.

By the President. Benj Harrison
W. H. H. Miller
Attorney General.

United States of America }
Territory of Oklahoma } S.S.

I Warren S. Lurty do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Warren S. Lurty

Subscribed and sworn to before me this 24th day of May 1890.

A. J. Seay, Judge

United States of America } S.S.
Territory of Oklahoma }

I Warren S. Lurty, do solemnly swear that I will faithfully execute all the lawful precepts directed to the Marshal of the Territory of Oklahoma under the authority of the United States and true returns make and in all things well and truly, and without malice or partiality perform the duties of the office of Marshal of the Territory of Oklahoma during my continuance in said office, and take only my lawful fees. So help me God.

Warren S. Lurty

Subscribed and sworn to before me this 24th day of May 1890

A. J. Seay, Judge

In re Defining the boundaries of the Judicial Districts of said Territory

It is ordered by the Court that the first judicial District of said Territory shall be composed of the Counties numbered One (1) and Six (6) and all the lands occupied by the Ponca Tonkawa Otoe and Missouria and the Pawnee Osage and Kansas Tribes of Indians and all of that part of the Cherokee Outlet which lies East of the range line which divides ranges three and four West of the Indian Meridian and all of that part of the lands occupied by the Iowa and Kickapoo and Sac and Fox Indians which lies North of the township line between townships fourteen and fifteen North of ranges one two and three and four five and Six East of the Indian Meridian and that Honorable E. B. Green Chief Justice of said Court shall preside therein as judge of said Judicial District and it is further ordered that a term of said Court shall be held at the City of Guthrie in said County number one (1) on the first Monday in March and September of each year and that a term of said Court be held at the Town of Stillwater in said County number Six (6) on the first Tuesday in April and October of each year.

And that the second judicial District of said Territory shall be composed of Counties numbered four (4) five (5) and Seven (7) and all of that part of the Cherokee Outlet which lies West of the line which divides range three (3) and four (4) West of the Indian Meridian and all of the Cheyenne and Arapahoe and Wichita, Kiowa, Comanche and Apache Indian Countries and that the Honorable A. J. Seay Associate Justice of said Court shall preside therein as judge of said Judicial District and it is further ordered that a term of said Court be held at the Town of Beaver in said County number Seven (7) on the third Tuesday in April and September of each year, and that a term of said Court be held at the Town of El Reno in said County number four (4) on the first Monday in April and October of each year. And that a term of said Court be held at the Town of Kingfisher in said County numbered five (5) on the third Monday in March and October of each year.

And that the third judicial District of said Territory shall be composed of Counties numbered two (2) and three (3) and the lands occupied by the Pottawatomie Tribe of Indians and all of that part the land occupied by the Iowa and Kickapoo and Sac and Fox Tribes of Indians which lies South of the Township line which divides Townships fourteen (14) and fifteen (15) North of ranges One (1) two (2) three (3) four (4) five (5) and Six (6) East of the Indian Meridian and that the Honorable John G. Clark Associate Justice of said Court shall preside therein as as judge of said judicial District and it is further ordered that a term of said Court be held at the Town of Normans in said County Number three (3) on the fourth Monday in March and September of each year. And that a term of said Court be held at the Town of Oklahoma City in said County Number two (2) on the second Monday of April and October of each year.

Sec 32. Attaching Territory not embraced in Organized Counties ~~to organized Counties~~ for Judicial purposes

It is ordered by the Court:

That all of that part of the Cherokee Outlet which lies between the line dividing ranges three (3) and four (4) west of the Indian Meridian and the line dividing ranges Six (6) and Seven (7) East of the Indian Meridian except Townships twenty (20) of ranges one (1) two (2) three (3) and four (4) East of the Indian Meridian And all of the lands occupied by the Kansas, Tonkawa, Ponca, Ottoes and Missouria Tribes of Indians and all of that part of the land occupied by the Osage Indians which lies West of the line between range six (6) and seven (7) East of the Indian Meridian and all of that part of the Iowa and Kickapoo and Sac and Fox Countries which lies north of the line which divides Townships fourteen (14) and fifteen (15) North of ranges one (1) two (2) three (3) four (4) five (5) and six (6) East of the Indian Meridian is hereby attached to County Number one (1) for judicial purposes.

And all of that part of the Osage Country and Cherokee Outlet which lies east of the line between ranges six (6) and seven (7) East of the Indian Meridian and all of Townships twenty (20) of ranges one (1) two (2) three (3) and four (4) East of the Indian Meridian being also a part of the Cherokee Outlet and all of the Pawnee Country is hereby attached to County Number six (6) for judicial purposes.

And it is further ordered by the Court that all of that that all of that part of the Cherokee Outlet which lies North and West of the Atchison, Topeka and Santa Fe Rail Way which runs from Kiowa, Kansas in a southwestern direction through said Cherokee Outlet to the Eastern boundary line of Texas near the Town of Goodwin in said Cherokee Outlet be attached for judicial purposes to County Number seven (7).

And all of that part of said Cherokee Outlet which lies South and East of said above mentioned Railway and West of the line dividing ranges three (3) and four (4) West of the Indian Meridian shall be attached to County Number five (5) for judicial purposes.

And all of that part of the Cheyenne and Arapahoe Country except that part which is hereafter attached to County number four (4) is hereby attached to said County number five (5) for judicial purposes.

"And all of said Cheyenne and Arapahoe Country which is bounded on the North by the line dividing Townships fourteen (14) and fifteen (15) of ranges eight (8) to thirteen (13) inclusive West of the Indian Meridian and on the South and West by the Canadian River and on the East by County number four (4) of said Territory of Oklahoma, and all of the Wichita, Kiowa, Comanche and Apache Country is hereby attached to County number four (4) for judicial purposes."

And it is further ordered by the Court:
That all of that part of the Iowa and Kickapoo and Sac and Fox Country which lies South of the Township line dividing Townships fourteen (14) and fifteen North of ranges one (1) to Six (6) inclusive East of the Indian Meridian and all of the Pottawatomie Country which lies north of the line dividing Townships nine (9) and ten (10) North of ranges one (1) to five (5) inclusive is hereby attached to County number two (2) for judicial purposes.

And all of that part of the Pottawatomie Country which lies South of the line dividing said Townships Nine (9) and ten (10) North of ranges one (1) to five inclusive East of the Indian Meridian is hereby attached to County number three for judicial purposes

Warren S. Lurty, Marshal of the Territory of Oklahoma filed the following bond which was ordered spread at large upon the records of this Court.

Know all men by these Presents:

That We, Warren S. Lurty, Dennis T. Flynn and Joseph W. McNeal, are held and firmly bound unto the United States of America in the full and just sum of twenty thousand dollars, lawful money of the United States to be paid to the United States: for which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors, and administrators, firmly by these presents. Signed with our hands and sealed with our seals this Twenty fourth day of May in the year one thousand eight hundred and ninety.

The condition of the foregoing obligation is such, that whereas the President of the United States hath, pursuant to law, appointed the said Warren S. Lurty to be Marshal of the United States for the Territory of ~~the United~~ Oklahoma to have and hold the same, with all the rights, privileges, and emoluments thereunto lawfully appertaining, from the Fourteenth day of May 1890 unless sooner removed therefrom, as by a Commission to him bearing date the 14th day of May 1890 more fully appears.

Now if the said Warren S. Lurty, by himself and by his Deputies shall faithfully perform all the duties of the said Office of Marshal, then this obligation to be void; otherwise to remain in full force and virtue

Seal Warren S Lurty
Seal Dennis T. Flynn
Seal Joseph W. McNeal

Signed, sealed and delivered in the presence of
Jno. A. Onstott } Witnesses
Sol Cowden }

United States of America }
Territory of Oklahoma }

I, Dennis T. Flynn one of the sureties in the annexed bond, being duly sworn, depose and say that I am worth, after paying my just debts the sum of Fifteen Thousand dollars, exclusive of property exempt from execution by the laws of the State in which I reside. I further depose that as Post Master at Guthrie Oklahoma Territory I am bonded in the penalty of Ten thousand Dollars. I further depose that I am an inhabitant and a freeholder in the Territory of Oklahoma.

Dennis T. Flynn

Subscribed and sworn to before me this 24th day of May A.D. 1890

A. J. Seay Associate Justice
Supreme Court Oklahoma Ter

United States of America } S.S.
Territory of Oklahoma }

I, Joseph W. McNeal one of the sureties on the annexed bond, being duly sworn, depose and say that I am worth after paying my just debts, the sum of Twenty thousand dollars, exclusive of property exempt from execution by the laws of the State in which I reside. I further depose that I am a surety upon the official bond of Dennis T. Flynn, Postmaster at Guthrie Oklahoma Territory and am liable thereunder in the penalty of Five thousand Dollars. I further depose that I am an inhabitant and a freeholder in the Territory of Oklahoma.

Joseph W. McNeal

Subscribed and sworn to before me this 24th day of May A.D. 1890
A. J. Seay Associate Justice
Supreme Court Oklahoma Ter.

United States of America } S.S.
Territory of Oklahoma }

I, Warren S. Lurty, the principal in the annexed bond, being duly sworn, depose and say that I am worth, after paying my just debts, at least the sum of Thirty thousand dollars. I further depose and say that I am not responsible in anyway either as principal or surety upon any other official bond.

Warren S. Lurty.

Subscribed and sworn to be before me this 24th day of May 1890
A. J. Seay Associate Justice
Supreme Court of Oklahoma Territory

United States of America } S.S.
Territory of Oklahoma }

I, hereby certify that Warren S. Lurty as principal in the foregoing bond and Dennis T. Flynn and Joseph W. McNeal as his sureties on this 24th day of May 1890 personally came before me and in my presence and in the presence of John W. Crystal and* Sol Rowden who were called as witnesses, signed and executed said Bond in the presence of said in my presence and in the presence of each other, and that they declared under oath that they jointly and severally executed said Bond for the purposes therein mentioned, and that they are bona fide residents of the Territory of Oklahoma and are freeholders therein.

*witnesses

Now as one of the Justices of the Supreme Court of Oklahoma Territory, duly qualified to act, I hereby in all things approve said Bond.

Given under my hand this 24th day of May 1890
A. J. Seay
Associate Justice
Sup. Court
Oklahoma Terr

Charles H Filson Clerk of the Supreme Court of Oklahoma filed the following Bond which ordered spread at large upon the records of this Court

Know all men by these Presents

That we Chas H Filson, Cassius M. Barnes and Joseph W. McNeal of Guthrie in the Territory of Oklahoma are held and firmly bound unto the United States of America in the sum of Five Thousand Dollars lawful money of the said United States for which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators jointly and severally, firmly by these presents. Signed with our hands and sealed with our Seals this 15th day of July 1890.

The condition of the above obligation is such, whereas, pursuant to law Charles H Filson has been appointed Clerk of the Supreme Court of the United States for the Territory of Oklahoma to have and to hold the same, with all the rights, privileges and emoluments thereunto appertaining, as by an appointment to him bearing date the 29th of May 1890 more fully appears a certified copy of which is herewith annexed:

Now if the said Charles H Filson by himself and his deputies shall faithfully discharge the duties of his office, and seasonably record the decrees, judgments and determinations of the said Court and properly account for all moneys coming into his hands as required by law, then this obligation to be void: otherwise, to remain in full force and virtue

Charles H Filson {Seal}
Cassius M. Barnes {Seal}
Joseph W. McNeal {Seal}

Signed Sealed and delivered in presence of
Wm J. Pearle
Robert Martin

United States of America } ss
Territory of Oklahoma }

I Cassius M. Barnes, one of the sureties on the annexed Bond, being duly sworn, depose and say that I am worth, after paying my just debts, the sum of Five Thousand Dollars, exclusive of property exempt from execution by the laws of the State in which I reside. I further depose that I am an inhabitant and freeholder in the Territory of Oklahoma.

Cassius M. Barnes

Subscribed and sworn to before me this 15th day of July AD 1890

T. J. Riley
Clerk of District Court.

{Seal}

United States of America } S.S.
Territory of Oklahoma }

I, Joseph W. McNeal one of the sureties on the annexed bond being duly sworn, depose and say that I am worth, after paying my just debts, the sum of Twenty thousand dollars, exclusive of property exempt from execution by the laws of the State in which I reside. I further depose that I am a surety upon the official Bond of Dennis T. Flynn Postmaster of Guthrie Oklahoma Territory and am liable thereunder in the penalty of Five thousand dollars. I further depose that I am a surety upon the official bond of Warren S. Lurty, Marshal of said Territory of Oklahoma and am liable thereunder in the penalty of Twenty thousand dollars. I further depose that I am an inhabitant and a freeholder in the Territory of Oklahoma.

Joseph W. McNeal

Subscribed and sworn to before me this 15th day of July A.D. 1890

T. G. Risley
Clerk of District Court.

I, Edward B. Green do hereby certify that T. G. Risley, District Clerk who administered the above oath was, at the time of doing so, duly authorized to administer the same; and that full faith and credit are due to his official attestations; and that his signature is genuine.

In testimony whereof I have hereto set my hand and affixed my seal this 15th day of July A.D. 1890.

E. B. Green Ch. J. {Seal}

United States of America } S.S.
Territory of Oklahoma }

I hereby certify that Charles H. Filson as principal in the foregoing bond, Cassius M. Barnes and Joseph W. McNeal as his sureties on the 15th day of July 189 personally came before me, and in my presence and in the presence of William J. [illegible] and Robert Martin who were called in as witnesses signed and executed said bond in the presence of said witnesses, in my presence and in the presence of each other, and they declared under oath that they jointly and severally executed said Bond for the purposes therein mentioned and that they are bona fide residents of the Territory of Oklahoma and are freeholders therein. I now as Chief Justice of the Supreme Court of Oklahoma Territory duly qualified each hereby in all things approve said Bond. Given under my hand this 15th day of July 1870.

Edward B. Green.
Chief Justice Supreme Court of Oklahoma Territory.

I, Charles H. Filson being appointed Clerk of the Supreme Court of Oklahoma Territory do solemnly swear that I will support the Constitution of the United States and that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of said Court and that I will faithfully and impartially discharge and perform all the duties of my said office according to the best of my abilities and understanding. So help me God.

Charles H. Filson

Subscribed and sworn to before me this 15th day of July 1870.

Edward B. Green, Chief Justice Supreme Court Oklahoma Territory

It is further ordered by the Court:
That the time of holding the first session of the Supreme Court of Oklahoma Territory be fixed for the first Tuesday in January A.D. 1891

The Court then adjourned until Tuesday June 10th 1890 at ten o'clock.

United States of America }
Territory of Oklahoma } ss

Tuesday June 10th [illegible] The Supreme Court of Oklahoma met at the City of Guthrie pursuant to adjournment the Honorable A. J. Seay Associate Justice presiding there being present the Honorable A. J. Seay and John G. Clark Associate Justices Warren S. Lurty Marshal and Horace Speed District attorney and Chas. H. Filson Clerk.
The Court Adjourned until 2:00 P.M.

Thursday June 12th The Supreme Court of Oklahoma Territory met pursuant to adjournment and there were present the Honorable E. B. Green Chief Justice and Honorable A. J. Seay and John G. Clark, Associate Justices, Warren S. Lurty Marshal Horace Speed, District Attorney and Chas. H. Filson Clerk.
The following named attorneys subscribed to the oath of office and it was ordered by the Court that they be admitted to practice as attorneys and Counsellors at law in the Supreme Court

Harris [illegible]	Kingfisher
Robert A. Lyle	"
Ezra A. Wilson	Reno City
J. W. McClelland	Oklahoma City
S. Armstrong	" "
J. W. Johnson	" "
C. H. Violet	" "
A. L. Conella	" "
John Burton	" "
5. [illegible] J. Bailey	Guthrie
D. J. Flynn	"
C. A. Markland	
DeWitt C. Lewis	Oklahoma City
J. W. Mills	Guthrie O.T.
J. M. Ross	Oklahoma City
Wm. A. Monroe	" "
Samuel Murphy	" "
Amos B. Hammer	" "
C. A. Galbraith	" "
Geo. G. Holman	" "
James C. Jones	" "
George W. Adams	" "
J. E. Pickard	Guthrie
Ed. A. Bailey	"
Stephen A. Bradley	
Lester P. Ross	Oklahoma City
E. A. Dodd	Guthrie

Zadne Guthrie	Oklahoma City
J. J. Merrick	Guthrie
W. D. Leach	Oklahoma City
J. L. Van Deventer	"
John W. Scothorn	Guthrie "
Henry T. Sumner	" "
Harry R. Thurston	" "
L. Branch Lyman	" "
Lucian M. Barlow	Oklahoma City
J. F. Calvert	Guthrie
Winfield S. Smith	"
Chas. Brown	"
Silas E. Seeley	"
Charles W. Ransom	"
John Foster	"
D. H. Commager	"
W. D. Chilton	Norman
Geo. A. Outcalt	Guthrie
Charles B. Wilson	"
A. D. Todd	"
A. L. Cone	"
Bayard T. Hainer	"
Sidney H. Dunham	Oklahoma City
John F. Stone	Guthrie
W. W. Witten	Oklahoma City
J. H. Woods	" "
S. A. Steward	" "
B. N. Woodson	" "
H. T. Winn	" "
Thomas S. Jones	Guthrie
John M. Galloway	"
A. M. Sutliff	Oklahoma City
Hugh A. Hellman	" "
Roger Wayant	" "
Henry T. Fegan	Guthrie
Emery A. Foster	"
J. L. Brown	"
Albert H. Butterfield	"
Jno. H. Cottrell	"
Grant Stanley	"
Fred M. Elkin	"
Thomas M. Helm	"
David R. Widner	"
Chas. J. Lowe	"
N. P. Meadows	"
Horace M. Adams	"
Patrick J. Cavanaugh	"
Chas. W. Kerns	"
A. McCaskey	"

A. McCaslin	Guthrie
James Henry Hamilton	"
Z. S. Webb	"
Thos J. Richardson	
John C. Hofius	"
J. A. Gately	
George Uchall	"
Alexander T. Neill	"
Benj. F. Dilley	"
John Henale	"
C. M. Samford	
C. Z. Kelso	"
Eugene L. Bradshaw	
John A. Lowder	
Allen Carruthers	
E. J. Simpson	El Reno
Wallace Thomas	Guthrie
Chas M. J. Orr	
Hugo Wilderson	Oklahoma City
Taylor Flick	
Horace Reed	Guthrie
Joseph Fisher	"
Charles M. Lunwood	"
Thomas C. Whiteley	"
Samuel L. Overstreet	"
James Paul Gore	"
George Ray	"
L. Morton Knapp	"
Robert J. Orr	Oklahoma City
A. C. H. Randall	Guthrie
James Frank Cole	"
Marks A. Cunningham	"
John A. Dill	"
Ben Carr	
James L. Brown	Oklahoma City
Homer C. Taucher	Guthrie
Charles B. Furman	"
John J. Bales	
H. J. Strassner	"
N. P. Wilkes	
H. C. Kearney	"

Court adjourned until 10 oclock am June 11th 1890

United States of America }
Territory of Oklahoma } S.S.

In the Supreme Court.

Be it remembered that on the eleventh day of June in the year of our Lord one thousand eight hundred and ninety The Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie and there was present: Honorables E. B. Green, Chief Justice, A. J. Seay and John G. Clark Associate Justices, Warren S. Lurty, Marshal, Horace Speed United States district attorney, and Chas. H. Filson Clerk. Public proclamation of the opening of said Court being made by the Marshal, the following proceedings were had.

On motion, it was ordered by the Court that Theodore C. Sears be enrolled as an attorney of this Court without filing a certificate.

The following persons filed certificates of admission as attorneys subscribed the oath, and were by order of the Court enrolled as attorneys and counsellors at law in this Court.

Robert Martin	El Reno
Christopher C. Holland	Guthrie
John F. Enright	"
Chas. H. Berger	"
M. J. Rogers	"
C. J. Yoder	"
Dick T. Morgan	"
Harry E. Rich	"
H. H. Williamson	"
J. H. Howard	"
F. R. McKinnon	"
J. W. Perkins	"
S. M. Decker	"
A. H. Comstock	"
Wm. J. Prindle	"
S. F. Bullard	"

On motion it was ordered by the Court, that S. D. Decker be enrolled as an attorney of this Court without filing of a certificate

It was ordered by the Court that the following device be adopted as the official seal of this Court.

By order of the Court and proclamation of the marshal the Court adjourned until three o'clock P.M. of this day.

United States of America }
Territory of Arizona } ss.

In the Supreme Court

Be it remembered that the Supreme Court convened pursuant to adjournment at three o'clock P.M. pursuant to adjournment and there was present Honorables E. B. Green Chief Justice, W. H. Gray & John J. Clare, Associate Justices, Warren S. Lenty Marshal, Horace Speil District Attorney, and Chas. H. [illegible] Clerk, and the following proceedings were had.

Nellie Collett }
vs } Application for writ of Mandamus
Wm. M. Allison }

Be it remembered that this eleventh day of June A.D. 1890 the above cause came on for hearing upon motion for a writ of Mandamus, and was argued upon part of plaintiff by C. W. [illegible], and upon behalf of defendant by Horace Speil.

On Motion it was ordered by the Court that Volney Hoggatt be admitted to practice as an attorney and counsellor at Law upon condition of his furnishing a certificate of admission from the Court in Dakota where he was admitted.

James A. May }
vs }
Warren S. Lenty U.S. Marshal } Application for writ of Habeas Corpus

~~[illegible]~~ Be it remembered that this the eleventh day of June A.D. 1890 the above cause was submitted and argument deferred until the twelfth instant.

By order of the Court and proclamation of the Marshal the Court stands adjourned until tomorrow morning June 12th 1890 at ten o'clock A.M.

Chief Justice

Attest
Chas. H. [illegible]

United States of America
Territory of Oklahoma } S.S.

In the Supreme Court

Be it remembered that on this the twelfth day of June A.D. in the year One thousand eight hundred and ninety the Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie and there were present The Honorable E. B. Green Chief Justice, A. J. Seay and John G. Clark Associate Justices, Warren S. Lurty Marshal and Horace Speed District Attorney and Chas. H. Filson Clerk. Public proclamation of the opening of said Court being made by the Marshal the following proceedings were had:

Case No 1
James A. May
vs
Warren S. Lurty, U.S. Marshal } Application for writ of Habeas Corpus

Be it remembered that this twelfth day of June A.D. 1890, came on for hearing upon motion of the plaintiff and was argued upon behalf of plaintiff by Thurston and Merrick and upon behalf of the defendant by Horace Speed.

No. 2.
Nettie Carlett, plaintiff
vs
William M. Allison defendant } Application for writ of Mandamus.

Be it remembered that this twelfth day of June A.D. 1890 this cause came on for decision whereupon it is ordered and adjudged that the said petition be denied. The opinion of the Court was delivered by Hon. John G. Clark Associate Justice. All the Justices concurring.

By order of the Court S. L. Bullard was admitted to practice as an attorney of this Court upon condition of his filing a certificate of his admission by a former Court.

By order of the Court and proclamation of the Marshal the Court stands adjourned until three o'clock P.M.

Chief Justice

Attest
C. H. Filson, Clerk

United States of America }
Territory of Oklahoma } S.S.

In the Supreme Court

Be it remembered, at the hour of three o'clock PM having arrived the Supreme Court of the Territory of Oklahoma met pursuant to adjournment and there was present Honorable E. B. Green Chief Justice, A. J. Seay and John G. Clark Associate Justices, Warren S. Lurty Marshal and Horace Speed District Attorney, and the following proceedings were had

No. 1

James A. May, Plaintiff
vs
Warren S. Lurty, United States Marshal, Defendant
} Application for writ of Habeas Corpus.

Be it remembered that on the 12th day of June A.D. 1890 this cause came on for decision whereupon it is ordered and adjudged by the Court that the said petition be denied.

The opinion of the Court was delivered by Hon. E. B. Green, Chief Justice, all the Justices concurring

By order of the Court and proclamation of the Marshal the Court adjourned until June 16th 1890 at ten o'clock

Chief Justice

Attest,
Chas. H. Filson [illegible]

United States of America } S.S.
Territory of Oklahoma }

Be it remembered on this the sixteenth day of June A. D. in the year One thousand eight hundred and ninety. The Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie and there were present, Hon. E. B. Green Chief Justice, Hon. A. J. Seay and Hon. John John G. Clark Associate Justices, Horace Speed, U. S. Attorney, Warren S. Lurty Marshal and Chas. H. Filson Clerk, Public proclamation of the opening of said Court being made, the following proceedings were had.

No 3.

William M. Allison } Petition for
vs } Rule of Prohibition.
Chas. A. Berger et al }

Be it remembered that this cause was on this date by agreement of the attorneys, on stipulation of Counsel for both parties herein ~~the~~ submitted to the Court and argued on behalf of Petitioner by T. N. Soward and for the defendants by Horace Speed.

By order of the Court and proclamation of the Marshal the Court stands adjourned until tomorrow morning at ten oclock.

Chief Justice

United States of America } S.S.
Territory of Oklahoma }

Be it remembered on this the seventh day of June A D in the year one thousand eight hundred and ninety The Supreme Court of the Territory of Oklahoma met pursuant to adjournment and there was present the Honorable E. B. Green Chief Justice and Honorable A. J. Seay and John G. Clark Associate Justices, Horace Speed U.S. Attorney, Warren Lurty Marshal and Chas. H. Filson Clerk and the following proceedings were had:

No 3.

William M. Allison } Petition for
vs } Rule of Prohibition
Chas. A. Berger }

Be it remembered that this cause was on this date considered by the court and arguments on behalf of defendants delivered by Theodore A. Sears and John Foster

By order of the Court and Proclamation of the ~~Bailiff~~ Marshal the Court stand adjourned until tomorrow morning at ten oclock

Chief Justice

United States of America } ss.
Territory of Oklahoma

Be it remembered that on the 18th day of June A.D. in the year One thousand eight hundred [illegible] the Supreme Court of the Territory of Oklahoma was duly opened in the city of Guthrie pursuant to adjournment. Present Hon. E. B. Green Chief Justice and Hons. A. J. Seay [illegible] Associate Justices Horace Speed U.S. Attorney U.S. [illegible] [illegible] Clerk. Proclamation of the opening of said court was made and the following proceedings were had

No 3.

William M. Wallace } Motion [illegible]
vs } [illegible]
Chas. A. [illegible] et al }

Be it remembered that the [illegible] argu-ments in this cause were had and [illegible] on behalf of the Plaintiff by Horace Speed and the defendants by Warren S. Cunningham.

The cause was taken under advisement [illegible] and the decision announced for the [illegible] of June 189[illegible].

No 11

[illegible]
vs
Warren S. [illegible]

Be it remembered that on the [illegible] day of June A.D. in the year 189[illegible] the cause was by agreement of the attorneys [illegible] submitted to the Supreme Court of the Territory of Oklahoma.

The cause was taken under advisement by the Court and the decision announced for the twenty [illegible] of June 189[illegible]

The following named attorneys [illegible] certificates of admission [illegible] court and on motion [illegible] were by the Court [illegible] duly enrolled as attorneys of this Court [illegible] subscribed the oath of office

J. H. [illegible] Guthrie O.T. — Robert Wolcott Guthrie
W. S. Cunningham — [illegible] Earl
[illegible] Guthrie — Wm. C. [illegible]
A. J. [illegible] Guthrie O.T.

Adjourned to June 24 [illegible]

[illegible] Justice

Attest
[illegible] Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered on this the twenty fourth day of [illegible] in the year 1890, The Supreme Court of the Territory of Oklahoma met pursuant to adjournment [illegible] Hon. E. B. Green and ~~Hon.~~ A. J. Seay and [illegible] Clark Associate Justices. Horace Speed U.S. Atty, Warren S. Lurty U.S. Marshal and Chas. H. Gilson Clerk and the following proceedings were had.

No. 3

William H. Wilson } Petition for
vs } Writ of Prohibition
Chas. A. Reynolds }

Be it remembered that on this day this cause came on for decision and thereupon it is ordered and adjudged that the said petition be denied.
The opinion of the court was delivered by Hon. E. B. Green Chief Justice all the Justices concurring.

No.

State

vs

A. W. Lurty U.S. Marshal

Be it remembered that on this day this cause came on for decision and thereupon it is ordered and adjudged that the said petition be
The opinion of the court was delivered by Hon. A. J. Seay, all the Justices concurring.

The following attorneys filed certificates of admission, subscribed the oath of office and on motion and by order of the Court were enrolled as attorneys of this Court.

C. L. Starr	Guthrie, O.T.	J. H. Harrel	Guthrie O.T.
Frank [illegible]	Stillwater "	C. R. [illegible]	" "
A. H. Huston	" "	Amos Green	Kingfisher "
F. H. [illegible]	" "	A. C. Olsen	Edmond "

By order of the Court, proclamation thereof being made by the Marshal the court adjourned sine die.

United States of America, ss
Territory of Oklahoma

At a [illegible] term [illegible] of the Supreme Court of the Territory of Oklahoma was duly convened in the city of Guthrie and there were present Hon. Edward B. Green [illegible] John G. Clark Associate Justice, Horace Speed U.S. Attorney, Wm. Grimes U.S. Marshal [illegible] when the following proceedings were had.

It was ordered by the court

That the Commission [illegible] of William H. Grimes United States Marshal for the Territory of Oklahoma be spread at large upon the records of the Court.

Benjamin Harrison
President of the United States of America
To all who shall see these presents greeting:

Know ye, That reposing special trust and confidence in the Integrity, Ability and Diligence of William Grimes of Oklahoma I have nominated and by and with the advice and consent of the Senate do appoint him Marshal of the United States in and for the Territory of Oklahoma and do authorize and empower him to execute and fulfill the duties of that office according to law and to have and to hold the said office with all the powers, privileges and emoluments to the same of right appertaining unto him the said William Grimes for the term of four years from the day of the date hereof subject to the conditions prescribed by law.

In testimony whereof, I have caused these letters to be made patent, and the seal of the Department of Justice to be hereunto affixed.

Seal

Given under my hand at the City of Washington the 22d day of August in the year of our Lord one thousand eight hundred and ninety and of the Independence of the United States of America the one hundred and fifteenth.

By the President

Benj. Harrison

W. H. H. Miller
Attorney General

Know all men by these Presents
That we William Grimes as principal and Joseph C. Post, Walter A. Doak, Samuel G. Robinson and Daniel K. Cunningham as sureties are held and firmly bound unto the United States of America in the full and just sum of twenty thousand dollars, lawful money of the United States, to be paid to the United States, for which payment, well and truly to be made, we bind ourselves jointly and severally, our joint heirs, executors and administrators, firmly by these presents. Signed with our hands and sealed with our seals this first day of September in the year one thousand eight hundred and ninety.

The condition of the foregoing obligation is such, that whereas the President of the United States hath according to law appointed the said William Grimes to be Marshal of the United States in the Territory of Oklahoma to have and to hold the same, with all the rights, privileges and emoluments thereunto lawfully appertaining until the end of the next session of the Senate of the United States unless sooner removed therefrom, as by a Commission to him bearing date the 22nd day of August 1890 more fully appears. Now if the said William Grimes by himself and by his deputies shall faithfully perform all the duties of said office of Marshal then the obligation to be void otherwise to remain in full force and virtue.

Given under our hands and seals this 1st day of September 1890.

William Grimes (Seal)
Joseph C. Post (Seal)
Walter A. Doak (Seal)
Samuel G. Robinson (Seal)
Daniel K. Cunningham (Seal)

Signed sealed & delivered in the presence of
The words "Until the end of the next session of the Senate of the United States" were inserted before signing
James C. Robb
Sat Rowden

United States of America } ss
Territory of Oklahoma }
I Joseph C. Post one of the sureties on the annexed bond being duly sworn depose and say that I am worth, over and above my just debts, the sum of Ten thousand dollars exclusive

of [illegible] exempt from execution by the laws of the Territory in which I reside. I am a resident in Oklahoma and am liable on an original bond of [illegible] for [illegible] Kingfisher Co for $5000.00

[illegible] C. Peck

Subscribed & sworn to before me this first day of September A.D. 1890

A. J. Seay Judge

United States of America } ss
Territory of Oklahoma }

I Walter A. Peak one of the sureties on the annexed bond being duly sworn depose and say that I am worth over and above my just debts the sum of ten thousand dollars exclusive of property exempt from execution by the laws of the Territory in which I reside. I am a resident in Oklahoma & am liable on an original bond of [illegible] County Clerk of Kingfisher $5000.00 also [illegible] Kingfisher Co for $5000.00

Walter A. Peak

Subscribed & sworn to before me this first day of September A.D. 1890

A. J. Seay Judge.

United States of America } ss.
Territory of Oklahoma }

I Samuel H. Robinson, one of the sureties on the annexed bond, being duly sworn, depose and say that I am worth over and above my just debts the sum of ten thousand dollars, exclusive of property exempt from execution by the laws of the Territory in which I reside. I am a [illegible] and on an attachment bond with others for $1000.00 [illegible] by American National Bank of Kansas City Mo.

Samuel H. Robinson

Subscribed & sworn to before me this first day of September A.D. 1890

A. J. Seay Judge

United States of America } ss
Territory of Oklahoma }

I Samuel H. Cunningham one of the sureties on the annexed bond being duly sworn depose and say that I am worth over and above my just debts the sum of five thousand dollars exclusive of property exempt from execution by the laws of the Territory in which I reside. I am a [illegible] and am liable on one bond of $500.00

Daniel K. Cunningham

Subscribed and sworn to before me this first day of September A. D. 1890

A. J. Seay Judge.

I Charles H. Filson do hereby certify that A. J. Seay Judge who administered the above oaths was at the time of doing so, duly authorized to administer the same; and that full faith and credit are due to his official attestations; and that his signature is genuine

In testimony whereof I have hereto set my hand and affixed the seal of Supreme Court this 3rd day of September A. D. 1890

Charles H. Filson Clerk Supreme Court
by H. P. Meadows
Deputy

Seal

United States of America } S.S.
Territory of Oklahoma }

I hereby certify that William Grimes principal in this bond and Joseph Ernst Walter Dean, Samuel F. Robinson & Daniel K. Cunningham as his sureties on this 1st day of Sept 1890 personally came before me and in my presence and in the presence of each other and in the presence of Amos W. Kirk & Sol. Rowden who were called in as witnesses at Kingfisher Oklahoma Territory signed and executed said bond and that they declared unanimously that they sureties and severally executed said bond for the purposes therein mentioned and that they are bona fide residents and freeholders of said Territory and I as one of the associate Justices of the Supreme Court of said Territory duly qualified to act I hereby approve said bond.

Given under my hand and seal the day and year aforesaid.

A. J. Seay Associate
Justice of Oklahoma Territory

United States of America } S.S.
Territory of Oklahoma }

I, William Grimes do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that

I have not sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter.
So help me God.

William Grimes

Subscribed and Sworn to before me this 1st day of September 1890
A. J. Seay, Judge

United States of America } S.S.
Territory of Oklahoma }

I, William Grimes do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Territory of Oklahoma under the authority of the United States, and true returns make and in all things well and truly and without malice or partiality perform the duties of the office of Marshal of the district of the Territory of Oklahoma during my continuance in said office and take only my lawful fees. So help me God

William Grimes

Subscribed and Sworn to before me this 1st day of September 1890
A. J. Seay, Judge

United States of America } S.S.
Territory of Oklahoma }

I, Charles H. Filson Clerk Supreme Court do hereby certify that A. J. Seay Justice who administered the foregoing oaths was at the time of doing so duly authorized to administer the same, and that full faith and credit are due his official attestations; and that his signature is genuine.

In testimony whereof I have hereunto set my hand and affixed the Seal of Supreme Court this 3rd day of September A.D. 1890.

Seal

Charles H. Filson
Clerk Supreme Court
by W. F. Meadows
Deputy

It is ordered by the Court that George L. Guy be and is hereby appointed Official Reporter of the Supreme Court of the Territory of Oklahoma.

United States of America) ss
Territory of Oklahoma }

Be it remembered that on this the [illegible] day of December in the year [illegible] the Supreme Court in the Territory of Oklahoma met and was duly opened in the City of Guthrie [illegible] Clerk

Public proclamation of the opening of said court being made by the Court Crier the following proceedings were had:

The following named attorneys having filed certificates of admission and subscribed to the oath required on motion it was ordered by the Court that they be enrolled as attorneys of this Court

Selwyn Douglass Oklahoma City OT
J. F. Cole " " "
J. R. Blue " " "

Whereupon by order of the Court proclamation thereof being made in due form the Supreme Court adjourned

Chief Justice

Attest
[illegible] Clerk

United States of America } ss.
Territory of Oklahoma }

Be it remembered, that on this the nineteenth day of September in the year 1890 the Supreme Court of the Territory of Oklahoma met and was duly opened in the city of Guthrie and there was present Hon. E. B. Green C. J. and Hon. John G. Clark A. J. and Chas. H. Filson Clerk.

Public proclamation of the opening of said Court being made by the Crier the following proceedings were had.

The following attorneys having filed certificates of admission and subscribed the oath of office, on motion it was ordered by the Court that they be enrolled as attorneys and Counsellors of this Court.

H. C. Donnell — Guthrie O.T.
Alfred S. DeWitt " "
Henry E. Asp " "
Jas. W. Clugage " "
Jesse C. Lowry " "

Thereupon by order of the Court proclamation thereof being made by the Crier the Supreme Court adjourned.

Chief Justice

Chas. H. Filson Clerk

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this the Sixth day of January in the year of our Lord One thousand eight hundred and ninety one. The Supreme Court of the Territory of Oklahoma met at the City of Guthrie and was duly opened in regular session of the regular term of said Court pursuant to the order of said Court at the first meeting thereof held in the City of Guthrie on the twenty ninth day of May A.D. 1890 and there was present Hon. John G. Clark Associate Justice, presiding and Hon A. J. Seay Associate Justice, William Grimes United States Marshal and Chas H. Filson Clerk and C. P. Babcock Crier.

Public proclamation of the opening of said Court being made by the Crier the following proceedings were had.

It was ordered by the Court that the Court stand adjourned until tomorrow morning at ten o'clock and it was so proclaimed in [illegible] of said Court.

Chief Justice

Attest:
Chas H Filson Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered that on this the seventh day of January 1891 the Supreme Court of the Territory of Oklahoma was duly opened, the same being the second day of the first regular term of said Court at the City of Guthrie and there were present Hon E. B. Green Chief Justice presiding Hon A J Seay and Hon John G Clark Associate Justices Chas H Filson Clerk and E. T. Jaycox Crier.

Public proclamation of the opening of said Court being made the following proceedings were had.

It was announced by the Court that Rules of Practice for the Supreme Court would be promulgated at an early day.

No. 6
John C. Adams } Oklahoma County
vs
Cynthia Couch et al. }

Be it remembered that on this the seventh day of January 1891 the same being the second day of the first regular term the cause came on for consideration of the Court and it was by agreement of the parties thereto continued until tomorrow morning at ten o'clock for argument.

Henry Price } Logan County
vs
William Baumgardt }

Be it remembered that on this the seventh day of January 1891 the same being the second day of the first regular term that upon request of H Savard attorney for defendant in error this cause was ordered docketed by the Court.

On motion of Amos Green it was ordered by the Court that C. M. Green of Lexington O. T. be admitted to practice upon the filing with the clerk of a certificate of his admission to the [illegible] Court and he was enrolled accordingly.

By order of the Court proclamation being made thereof the Court adjourned until tomorrow morning at ten o'clock.

United States of America ss
Territory of Oklahoma

Be it remembered that on this the eighth day of January [illegible] the same being the third day of the first regular term of the Supreme Court of the Territory of Oklahoma was duly opened in ... Guthrie and there were present Hon E. B. Green Chief Justice [illegible] A. J. Seay and John G. Clark associate Justices [illegible] Marshal, Chas. H. Filson Clerk [illegible]
Proclamation of the opening of the court was made the following proceedings were had.

No. 6.
John C. Adams } Oklahoma Co.
vs
Cynthia Couch et al }

Be it remembered that on this the ~~seventh~~ eighth day of January 1891 the cause was called for hearing pursuant to the order of the second instant when upon request of [illegible] attorney for Adams, Plaintiff in error, the cause was continued until 2.30 P.M. awaiting the arrival of counsel for defendants in error.

In re.
Thomas Lardine

Application for Writ of Habeas Corpus
Be it remembered that on this the eighth day of January 1891, the cause was called for hearing but the return of the writ or appearance of prisoner in Court being made the cause was passed upon motion of Thurston and Morrison attorneys for petitioner.

No
Laura L. Adamson } Logan County
vs
Maggie Kelley }

Be it remembered that on this the eighth day of January 1891 this cause came on for hearing upon motion of the Plaintiff for [illegible] and was argued for plaintiff by Martin & Cunningham and for Defendant by W. H. Williamson and taken under advisement by the Court.

No 6
John C. Adams }
vs
Cynthia Couch et al }

Be it remembered that on this the eighth day of January 1891 at three o'clock P.M. this cause came on for hearing pursuant to the morning order when it was again continued until ten o'clock tomorrow morning the attorneys for Defendants in error not having arrived

In re
Thomas Larkins

Application for writ of Habeas Corpus.

Now comes Thomas Larkins by his attorneys Thurston and Miller and presents his duly verified petition praying that for reasons set out in said petition the writ of Habeas Corpus issue to the Sheriff of Logan County Territory of Oklahoma commanding him to have the body of said Larkins before the Supreme Court and to show by what authority he detains him in his custody and restrains him of his liberty, and praying further that upon the return of said writ and upon the final hearing thereof of his petition he may released from such custody.

Thereupon the cause was argued on behalf of the petitioner by H R Thurston and on behalf of Logan County by C. B. Freeman County Attorney.

Adjourned to January 9th 1891

United States of America ss
Territory of Oklahoma

Be it remembered that on this the ninth day of January in the year 1891 the Supreme Court of the Territory of Oklahoma was duly opened in the city of Guthrie, the same being the fourth day of the first regular term of said Court and there was present Hon. E. B. Green Chief Justice presiding, Hon. A. J. Seay and John G. Clark Associate Justices, William Grimes Marshal and Chas. H. Filson Clerk and E. J. Babcock Crier. Proclamation of the opening of said Court being made the following proceedings were had.

U.S.
John C. Adams } Oklahoma County
vs
Cynthia Creek et al }

Be it remembered that on this the ninth day of January 1891 this cause came on for hearing pursuant to the order of yesterday and was argued upon behalf of the Plaintiff in error by Amos Green and Harper & Cunningham and was continued until Monday next at 3 oo oclock P.M.

Adjourned to January [illegible]

Chief Justice

Attest
Chas. H. Filson Clerk

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on this the tenth day of January in the year 1891, the same being the fifth day of the first regular term the Supreme Court of Oklahoma was duly opened in the City of Guthrie and there was present Hon. E. B. Green Chief Justice presiding Hon A. J. Seay and Hon John G. Clark Associate Justices William Grimes Marshal, Chas H Filson Clerk and E. P. Babcock Crier

Proclamation of the opening of said Court being made the following proceedings were had.

In re

Thomas Larkins

Application for writ of Habeas Corpus.

Be it remembered that on this the tenth day of January A.D. 1891 this cause was called for hearing and upon motion of Thurston and Merrick counsel for said Larkins the same was continued until Tuesday January 13th 1891 at three o'clock P.M. for argument

Adjourned to January 11. 1893. at 10 o'clock

Chief Justice

Chas. H Filson Clerk

United States of America
Territory of Oklahoma } ss

Be it remembered that on this the twelfth day of January A.D. 1898 the same being the sixth day [illegible] of the Supreme Court of the Territory of Oklahoma was duly convened at Guthrie and there was present Hon. [illegible] Dale Chief Justice presiding, Hon. J. H. Burford Hon. John L. [illegible] associate justices [illegible] B. F. Burwell [illegible] Hon. John C. Tarsney [illegible] Chas. H. Filson Clerk [illegible] Proclamation of the opening of said Court was made the following proceedings were had.

The account and employment [illegible] of [illegible] of the Supreme Court of the Territory of Oklahoma were presented in open Court and on motion of Hon. Horace Speed Attorney of the United States for the Territory of Oklahoma; It was ordered by the Court that the same be and hereby is approved for the sum of [illegible] Dollars and forty two cents [illegible]

No 6

John C. Adams
Plaintiff in error } Oklahoma County

vs

Cynthia Couch et al
Defendants in error

Be it remembered that on this the twelfth day of January 1898 this cause came on for argument pursuant to the order of the Court on January ninth and was argued on behalf of the Defendants in error by Frank Stanley attorney for Cynthia Couch and Selwyn Douglas attorney for [illegible] McGiggins [illegible] Further consideration of the cause was deferred until tomorrow morning at nine o'clock

Adjourned to January 13 1898 at 10 o'clock

Chief Justice

Chas H Filson

United States of America } ss
Territory of Oklahoma }

Be it remembered that on, this the thirteenth day of January in the year 1891. the same being the seventh day of the first regular term of The Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie and there were present as follows: Hon E. B. Green Chief Justice presiding, Hon A. J. Seay and Hon John G. Clark Associate Justices. Horace Speed United States Attorney. William Grimes Marshal Chas H Filson Clerk and E. P. Babcock Crier

Proclamation of the opening of said Court being made the following proceedings were had

No 6

John C. Adams
Plaintiff in error
vs
Cynthia Couch et al
Defendants in error } Oklahoma Co

Be it remembered that on this the 13th day of January 1891 this cause came on for consideration pursuant to adjournment of yesterday and was argued on behalf of the defendants in error by A B. Hammer attorney for John M. Dawson and Frank Dale attorney for Cynthia Couch at the conclusion of which a time of ten days was given attorneys in which to file type written briefs in this cause

No 8 In re
Thomas Larkins

Be it remembered that on this 13th day of January 1891 this cause came on for hearing, the applicant in custody of the sheriff being present, and was argued on behalf of the applicant by J. J. [illegible] and on behalf of the Territory by Chas. B. Freeman, attorney for Logan County and Hon Chas Brown Attorney General of the Territory of Oklahoma. Further consideration of this cause was deferred until tomorrow morning at ten o'clock.

J. H. Wilson filed his certificate of admission from the Supreme Court of Kansas and on motion of Geo S. Cunningham it was ordered that he be enrolled as an attorney and counsellor at law of this court and he subscribed the oath of office required.

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this the fourteenth day of January in the year 1891 the same being the eighth day of the first [illegible] term of the Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie and there were present as follows.

Hon. E. B. Green Chief Justice presiding, Hon. A. J. Seay and Hon. John G. Clark Associate Justices, Horace Speed United States Attorney, William Grimes United States Marshal, Chas. H. Filson Clerk and E. P. Babcock crier.

Proclamation of the opening of said Court being made the following proceedings were had

No. 8

In re
Thomas Larkin
Application for writ of Habeas Corpus.

Be it remembered that on this the 13th day of January 1891, this cause came on for consideration pursuant to the adjourned order of yesterday, the applicant being present in custody of the Sheriff of Logan county, and was argued on behalf of the petitioner by A. R. Thurston.

Adjourned to January 15th at 9 o'clock

Chief Justice

Chas. H. Filson

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on the fifteenth day of January in the sixteenth day of January in the year 1891, the same being the ninth day of the first regular term the Supreme court of the Territory of Oklahoma was duly opened in the city of Guthrie, and there were present as follows Hon. Edward B. Green, Chief justice presiding, Hon A. J. Seay and John G. Clark Associate justices, Hon Horace Speed United States Attorney, William Grimes Marshal, Chas H. Filson Clerk and E. P. Babcock crier.

Proclamation of the opening of said Court being made the following proceedings were had.

No.
Henry Price } Logan County
vs
A. J. Samuel et al. }

Be it remembered that on this the 15th day of January 1891 this cause was called for hearing by the Court and upon request of H. R. Thurston counsel for Plaintiff in error the same was continued until the adjourned term of the Court to be held in February next.

No.
In re
Thomas Laskine.

Be it remembered that on this the 15th day of January 1891, it was announced by the Court a a decision in this cause would be rendered at the sitting of the Court tomorrow morning at 10 oclock and the Sheriff was ordered to bring the prisoner into Court at that time.

Adjourned to January 16 1891 at 10 oclock

Chief Justice

Chas H Filson Clerk

United States of America } ss
Territory of Oklahoma }

Be it remembered that on the sixteenth day of January in the year 1891 [illegible] the sixth day of the [illegible] term [illegible] the [illegible] Court [illegible] Territory of Oklahoma [illegible] [illegible] [illegible] Hon. E. B. Green, Chief Justice, [illegible] [illegible] Clark Associate Justice, Horace Speed United States Attorney [illegible] [illegible] [illegible] Clerk and E. P. [illegible], Crier.

Proclamation of the opening of said court being made the following proceedings were had.

[illegible]
In re
Thomas Jardine

Be it remembered that on this the 16th day of January 1891 this cause came on for decision whereupon it was considered and adjudged by the court that the laws of Nebraska, put in force and extended over the territory by the Congress of the United States and continued in force by the Legislature of Oklahoma, were still in force and it was ordered by the court that the petitioner be remanded to the custody of the Sheriff of Logan County and that he be tried at the ensuing term of the District Court for Logan County for the crime of which he stands charged.

In the matter of establishing the time when the terms of the District Court shall be held in the counties of the Third Judicial District in the Territory of Oklahoma.

It is ordered by the Court:

That a term of said District Court be held at the town of Norman, in the County of Cleveland, commencing on the second Monday of February and last Monday of August of each year and that a term of said Court be held at Oklahoma City in the County of Oklahoma, commencing on the third Monday of March and on the second Monday of October of each year and that all writs, process, warrants, bonds and recognizances heretofore made returnable at the terms of said court as heretofore established, be and the same are hereby made returnable on the first day of the terms as established by this order.

On motion of [illegible] it was ordered by the Court that [illegible] be admitted to practice as an attorney and Counsellor at law of this Court, but that no license be issued to him until he shall file evidence of his former admission as such.

Proclamation of the adjournment of the Court was made, and the Court adjourned until February 24th 1891 at ten o'clock A.M.

Chas [illegible] Clerk

Know all men by these Presents that we Joseph C. Post John M. McLeod, William J. Bennett Joseph M. McNeal & Irwin S. LeFord are held and firmly bound unto the United States of America in the full and just sum of [illegible] ([illegible]) thousand dollars lawful money of the United States to be paid to the United States, for which payment well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, executors and administrators firmly by these presents. Signed with our hands and sealed with our seals this [illegible] day of January in the year one thousand eight hundred and ninety one.

The condition of the foregoing obligation is such that whereas the President of the United States hath, pursuant to law, appointed the said William Grimes to be Marshal of the United States for the Territory of Oklahoma, to have and to hold the same, with all the rights, privileges, and emoluments thereunto lawfully appertaining, four (4) years from the 22nd day of August 1890 unless sooner removed therefrom as by a commission to him bearing date the 22nd day of August 1890 more fully appears;

Now if the said William Grimes, by himself and by his Deputies, shall faithfully perform all the duties of said Office of Marshal, then this obligation to be void; otherwise, to remain in full force and virtue.

R. C. Palmer
Attest James A. Morris

Joseph C. Post (Seal)
John M. McLeod (Seal)
William J. Bennett (Seal)
Joseph M. McNeal (Seal)
Irwin S. LeFord (Seal)

Attest J. C. Roff } witness to signatures
" Chas A. Tilson } Joseph M. McNeal
Irwin S. LeFord

Territory of Oklahoma) S.S.
King Fisher County)

I, Joseph C. Post, one of the sureties on the annexed bond, being duly sworn, depose and say that I am worth, after paying my just debts, the sum of Ten [illegible] thousand dollars, exclusive of property exempt from execution by the laws of the Territory in which I reside, that he is an inhabitant of the above named county and a freeholder of the same, and that he is not responsible as surety on the bond of any other official.

Attest R. C. Palmer
James A. Morris

Joseph C. Post

Subscribed and sworn to before me this [illegible] day of January A.D. 1891

A. J. Seay
Associate Justice Supreme Court Okla. Ty.

Territory of Oklahoma } ss.
Kingfisher County }

I, John W. McLeod one of the sureties on the annexed, being duly sworn, depose and say that I am worth, after paying my just debts, the sum of Three thousand Dollars, exclusive of property exempt from execution by the laws of the Territory in which I reside, that he is an inhabitant and a freeholder of the above named county and that he is not responsible as surety on the bond of any other official

Attest Sat. Rowden
Chas. Grinsted

John W. McLeod

Subscribed and sworn to before me this 26th day of January A.D. 1891

A. J. Seay
Associate Justice Supreme Court Okla. Ter.

Territory of Oklahoma } S.S.
Kingfisher County }

I William J. Bennett, one of the sureties on the annexed bond, being duly sworn, depose and say that I am worth after paying my just debts the sum of Seven thousand Dollars, exclusive of property exempt from execution by the laws of the Territory in which I reside, that he is an inhabitant and a freeholder of the above named county and that he is not responsible as surety on the bond of any other official

Attest Sat Rowden
Chas Grinsted

William J. Bennett

Subscribed and sworn to before me this 26th day of January A.D. 1891

A. J. Seay
Associate Justice Supreme Court Okla. Ter.

Territory of Oklahoma } S.S.
Logan County }

I, Joseph W. McNeal, one of the sureties on the annexed, being duly sworn, depose and say that I am worth, after paying my just debts, the sum of Fifteen thousand Dollars exclusive of property exempt from execution by the laws of the Territory in which I reside

Joseph W. McNeal

Subscribed and sworn to before me this 29th day of January A.D. 1891

E. B. Green
Chief Justice

Territory of Oklahoma }
Logan County }

I Irwin S. DeFord one of the sureties on annexed bond being duly sworn depose and say that I am worth after paying my just debts the sum of [illegible] exclusive of property exempt from execution by the laws of the State in which I reside

Irwin S. DeFord

Subscribed and sworn to before me this 29th day of January A.D. 1891
E. B. Green
Chief Justice

I Sol Rowden do hereby certify that E. B. Green who administered the above oath was at the time of doing so duly authorized to administer the same and that full faith and credit are due to his official attestations and his signature is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of Court this 29th day of January A.D. 1891

{Seal}

Sol Rowden
Clerk 2nd Judicial Dist Okla Ter

Territory of Oklahoma } S.S.
Logan County }

I Charles H. Filson do hereby certify that E. B. Green, Chief Justice who administered the above oaths, was at the time of doing so fully authorized to administer the same; and that full faith and credit are due to his official attestations; and that his signature is genuine.

In testimony whereof I have hereto set my hand and affixed the seal of Supreme Court this 29th day of January 1891

{Seal}

Chas. H. Filson
Clerk Supreme Court
Territory of Oklahoma

United States of America } SS
Territory of Oklahoma }

I hereby certify that William Grimes as principal in this bond, and Joseph C. Post, John H. McCord, William J. Bennett, Joseph W. McNeal & Irwin S. DeFord as his sureties personally came before me and before A. J. Seay Associate Justice and in my presence & in his presence and in the presence of [illegible] and in the presence of R. C. Palmer, James A. Morris, Sol Rowden & Chas. Grinsted at Kingfisher & James C. Post & Chas. H. Filson at Guthrie who were called as witnesses at Kingfisher & at Guthrie in the Territory of Oklahoma signed and executed said bond ~~and~~ that

them declared under oath that they jointly and severally executed said bond for the penal sum therein mentioned and that they are bona fide residents and freeholders of said territory and as one of the Associate Justices and as Supreme Justice of the Supreme Court of said Territory and duly qualified to act I hereby approve said bond.
Given under my hand and seal the day and year last above written

E. B. Green.
Chief Justice Oklahoma Territory

In the matter of establishing the time when the terms of the District Court shall be held in the County of Beaver in the Second Judicial District of the Territory of Oklahoma.

It is ordered by the Supreme Court of said Territory that a term of said District Court be held at the town of Beaver, in the County of Beaver, commencing on the second Tuesday of May and on the third Tuesday of September of each year, and that all writs, process, warrants, bonds and recognizances heretofore made returnable at the terms of said Courts as heretofore established be and the same are hereby made returnable on the first day of the term as established by this order.

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on this seventeenth day of March in the year A.D. 1891 the same being the January regular term of said court and the seventh day thereof of said term, The Supreme Court of the Territory of Oklahoma was duly opened in the city of Guthrie and there was present Hon. E. B. Green Chief Justice presiding and Hon. Jno. G. Clark associate Justice, Hon. Horace Speed, United States District Attorney, Chas. H. Filson, Clerk and E. [illegible] crier.

Public proclamation of the opening of said Court being made the following proceedings were had

Ex parte
William Skaggs

Be it remembered that on this 17th day of March 1891 this cause was presented for consideration by Thurston [illegible] and Jones attorneys for said petitioner who presented his verified petition praying that for reasons set out in said petition the writ of Habeas Corpus issue to William Grimes United States Marshal of the Territory of Oklahoma, Commanding him to have the body of William Skaggs before the Supreme Court and to show by what authority he detains him in his custody and restrains him of his liberty and praying further that upon the return and upon the final hearing of his petition he may be released from such custody and accorded his liberty. Argument was deferred until tomorrow morning March 18th 1891 at ten oclock.

No. 13.
In re
William A Boles

Comes now William A Boles by Thurston and Hiatt and presents his verified petition praying that for reasons set out in said petition the writ of Habeas Corpus issue to William Grimes, United States Marshal of the Territory of Oklahoma Commanding him to have the body of William A. Boles before the Supreme Court and to show by what authority he detains him in his custody and restrains him him of his liberty and praying further, that upon the return of said writ and upon the final hearing of said petition he may be released from such custody and accorded his liberty. and was argued on behalf of the petitioner by J. [illegible] Further consideration of the cause was deferred until tomorrow morning March 18. 1891 at ten oclock

No 214
Inre Sid S Pridgen

[illegible] this [illegible] day of March 1891 came Sid S Pridgen by his attorneys [illegible] Fegan and James and presented his verified petition [illegible] for a writ of habeas corpus [illegible] in said petition, directed to William Grimes United States Marshal of the Territory of Oklahoma commanding him to have the body of your petitioner before the Supreme Court and to show by what authority he detains him in his custody and restrains him of his liberty and praying further that upon the return of said writ and upon final [illegible] said petitioner he may be released from such custody and accorded his liberty. Argument was deferred until tomorrow morning at two oclock.

The following attorneys [illegible] certificates of admission from other courts and on motion it was ordered that they be admitted as attorneys and Counsellors of this Court upon subscribing the oath of Office

Wm. G. Austin [illegible] Guthrie
[illegible] "
Thomas E. Berry Norman
J. J. Hill [illegible]

By order of the Court proclamation having been made by the crier Court was adjourned to March 8 1893 at 10 oclock

[illegible]

[illegible]
Clerk

United States of America S.S.
State of Oklahoma

Be it remembered that on this the Eighteenth day of March in the year A.D. 1891 the Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie in said Territory, the same being the adjourned term of said Court and the twelfth day of the first regular term thereof. There was present Hon. E. B. Green, Chief Justice, presiding and Hon. Jno. G. Clark Associate Justice, Horace Speed United States District Attorney for said Territory, Chas. H. Filson, Clerk and J. C. Osborne, crier.

Public proclamation of the opening of said court being made by the crier the following proceedings were had.

No. 12 Application for writ of Habeas Corpus

In re

William Skaggs

Be it remembered that this the 18th day of March 1891 this cause came on for hearing pursuant to the order of yesterday made by the Court and was argued on behalf of the petitioner by C. R. Fegan Esq. & A. R. Thurston Esq. and on behalf of the United States by Hon. Horace Speed, United States District Attorney and was then taken under advisement by the Court.

No. 13 Application for writ of Habeas Corpus

In re

William H. Boles

Be it remembered that on this the 18th day of March 1891 this cause came on for hearing pursuant to the adjournment order of the court of yesterday and was argued on behalf of the petitioner by C. R. Fegan Esq. & A. R. Thurston Esq. and on behalf of the United States by Hon. Horace Speed United District Attorney the cause was then taken under consideration by the Court.

No. 14 Application for writ of Habeas Corpus

In re

J. C. S. Wilson

Be it remembered that this 18th day of March 91 this cause came on for hearing pursuant to the order of the court made yesterday by the Court and was argued on behalf of the petitioner by C. R. Fegan Esq. & A. R. Thurston Esq. on behalf of the United States by Hon. Horace Speed United States District Attorney. The cause was then taken under consideration by the Court.

[illegible] Price
vs
H. H. Burgs et al

[illegible] day of March [illegible] the cause was called for hearing and argued for [illegible] by [illegible] attorney for [illegible] [illegible] whereupon the same was passed for [illegible] consideration

The following gentlemen filed certificates of admission from other courts and subscribed the oath of office and it was ordered by the Court that they be enrolled as Attorneys and Counsellors at Law of this Court
William M. Allison Guthrie Ok
Jackson C. Clarke

United States of America } SS.
Territory of Oklahoma }

Be it remembered that on this Nineteenth day of March in the year of our Lord one thousand eight hundred and ninety one, the Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie in said Territory, the same being of the January adjourned term thereof and the thirteenth day of the adjourned regular term and there was present Hon E. B. Green Chief Justice, presiding, Hon A. J. Seay and Hon John G. Clark Associate Justices, Horace Speed United States District Attorney and Chas. H. Filson Clerk by T. G. Filson acting Clerk and C. A. Johnson crier.

Proclamation of the opening of said Court being made the following proceedings were had.

No

Anne Reed
vs
H. M. Bangold et al

Be it remembered that this 19th day of March 1891, it is ordered by the Court that the above case be set for hearing on Saturday April 11th 1891 and if the parties to said action fail to mature their issues at said time this cause shall be stricken from the docket of this Court.

Ex parte　　　Application for writ of
William Staggs　　　Habeas Corpus.

Be it remembered that this 19th day of March 1891 this cause came on for decision, the same having been submitted before the Court it is therefore ordered and adjudged by the Court that the petition for the writ of habeas corpus be denied. The opinion of the Court was delivered by Hon E. B. Green Chief Justice, Justice Clark concurs.

Ex parte　　　Application for writ of
M. C. [illegible]　　　Habeas Corpus

Be it remembered that on this 19th day of March 1891 this cause came on for decision the same having been fully argued before the Court. It is therefore ordered and adjudged by the Court that the petition for the writ of habeas corpus be denied, and the judgment of the District Court of Logan County be affirmed. The opinion was delivered by Hon E. B. Green Chief Justice. Justice Clark concurs.

Ex parte [illegible]
William Weller [illegible]
Habeas Corpus

Now on this [illegible] day of March [illegible] this cause came on for hearing, and the same having been fully argued before the Court, it is therefore ordered and adjudged by the Court that the petition for writ of Habeas Corpus be denied and the petitioner remanded to the District Court of Logan County, [illegible] Opinion delivered by Hon. E. B. Green Chief Justice. Justice [illegible] dissenting.

By order of the Court no further business being made by the Court the Court adjourned until Saturday April 18 1891 at 2 o'clock p.m.

Chief Justice

Chas. H. Filson
Clerk

United States of America }
Territory of Oklahoma }

Be it remembered that on this Fourth day of April A.D. 1891 the Supreme Court of the Territory of Oklahoma met at the City of Guthrie in said Territory pursuant to adjournment of the same being of the January regular First term of said Court and the fourteenth day thereof and there was present

Hon. E. B. Green Chief Justice presiding, Hon. A. J. Seay and Hon John G. Clark Associate Justices. Hon. Jno W. Stone Assistant U.S. Attorney, William Grimes Marshal, Chas H. Filson Clerk and E. B. Babcock Crier

Public proclamation of the opening of said Court being made by the Crier the following proceedings were had, to wit:

No 6.

John C. Adams
vs
Cynthia Couch et al

Oklahoma County

Be it remembered that on this fourth day of April A.D. 1891 this cause came on for decision the same having been heretofore fully argued before the Court

It is therefore ordered and adjudged by the Court that the decision of the District Court of Oklahoma be affirmed with costs.

The opinion of the Court was delivered by Hon A. J. Seay Associate Justice. Hon. E. B. Green Chief Justice and Hon John G. Clark Associate Justice concurring in said decision. See page Opinion Book

No. 5.

John L. Williamson
vs
Maggie Seeley

Logan County

Be it remembered that on this fourth day of April A.D. 1891 this cause came on for decision the same having been heretofore fully argued before the Court

It is therefore ordered and adjudged by the Court that the decision of the district of Logan County be affirmed with costs

The opinion of the Court was delivered by Hon. John G. Clark Associate Justice. Hon. E. B. Green Chief Justice and Hon A. J. Seay Associate Justice concurring in said opinion.

See Opinion Book at page.

No. Henry Price
vs
W. R. Bangsted } Logan County

Be it remembered that on this fourth day of April A.D. 1891 This cause came on for hearing pursuant to the order of the Court made March seventeenth 1891 and the appellant having failed to mature the issues in said cause as ordered by the Court at said date. It is therefore ordered by the Court that this cause be stricken from the docket and that said cause be dismissed with costs.

No. William A. Campbell
vs
Ray Farmer } Logan County

Be it remembered that on this fourth day of April A.D. 1891 on motion of A. J. Cunningham attorney for appellant this cause was ordered placed on the docket and that the same be dismissed with costs, for the reasons that appellant has failed to mature the issues and prosecute the appeal.

On motion the following gentlemen were admitted to practice, and subscribed the prescribed oath and were ordered enrolled as Attorneys of this Court.
J. R. Keaton Guthrie O.T.
William Blencoe " "

It is ordered by the Court.
That a term of the Supreme Court be held annually beginning on the third Monday of June of each year

Business of the Court being concluded thereof being made by the Clerk Court was adjourned to the third Monday in June 91.

Chief Justice

Chas. H. Filson

United States of America } S.S.
Territory of Oklahoma }

I, John F. Stone, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid countenance, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority power or constitution within the United States, hostile or inimical thereto. And I do further swear, that to the best of my ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

John F. Stone

United States of America } S.S.
Territory of Oklahoma }

I, John F. Stone do solemnly swear that I will support the Constitution of the United States and faithfully discharge the duties of my office as Assistant to the Attorney of the United States in and for the Territory of the United States in and for the Territory of Oklahoma

John F. Stone

Subscribed and sworn to before me this 6 day of April 1891

T. G. Riley
Clerk U.S. Dist Court

Seal

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on the ~~twenty~~ second day of June A.D. 1891 the Supreme Court of the Territory of Oklahoma met at the City of Guthrie in said Territory pursuant to adjourned order of [illegible] said Monday being the first day of the June, or second regular term of said Court.

There were present Hon E. B. Green Chief Justice, Hon A. J. Seay and Hon John G. Clark associate justices, Horace Speed United States Attorney, William Grimes U.S. Marshal by [illegible] Deputy, Chas. H. Filson Clerk and E. C. [illegible] Crier.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

On motion It was ordered by the Court that David Hammons of Oklahoma City O.T. be enrolled as an attorney of the Court.

Whereupon it was ordered by the Court, Proclamation thereof being made by the Crier that the court stand adjourned until tomorrow morning at ten o'clock.

Chief Justice

attest
Chas. H. Filson
Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered that on this the 23 day of June A.D. 1891. The Supreme Court of the Territory of Oklahoma was duly opened in the City of Guthrie in said Territory, the same being the second day of the second or June regular term of said Court.

There were present Hon E. B. Green Chief Justice presiding. Hon A. J. Seay and Hon John G. Clark Associate Justices, Horace Speed U.S. Attorney. William Grimes U.S. Marshal by J. C. Robb Deputy. Chas. H. Filson Clerk and E. P. Babcock Crier

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this 24th day of June A D 91. The Supreme Court of the Territory of Oklahoma was duly convened pursuant to adjournment in the City of Guthrie in said Territory the same being the third day of the June term of said Court.

There were present Hon E. B. Green Chief Justice presiding, Hon A. J. Seay and Hon John G Clark associate Justices, Horace Speed U.S. Attorney, William Grimes Marshal by J. C. Post Deputy, Chas. H. Filson Clerk and E. C. Buchner Crier

Proclamation of the opening of said Court being made by the Crier the following proceedings were had to wit.

No 22 Orlando B. Dix
vs
David A. Commager } Logan

Be it remembered that on this 24th day of June A. D. 1891 on motion of C. A. Ransom attorney for appellant leave was granted until Saturday June 27 1891 in which to file brief and abstract in this cause by the Court.

No 23 Chas. W. Dean } Logan County
vs
David A. Commager

Be it remembered that on this 24th day of June A. D. 1891 on motion of Morgan and Pancoast attorney for appellant leave was granted appellant until until Saturday June 27. 1891 in which to file brief and abstract in said cause.

On motion the following gentlemen were admitted to practice in this Court and subscribed the prescribed oath and it was ordered by the Court that they be enrolled as attorneys and counsellors of law.

Thomas Eppage — Guthrie O. T.
J. C. Roberts — Kingfisher
J. C. Smalley — El Reno
C. A. Caswell

No. 20 Chas. Rider }
vs
Geo. T. Brown et al. }

Be it remembered that on this 24th

day of June A.D. 1891 on motion of J. C. Smedley attorney for appellant leave was granted in which to file briefs and abstract as of this date

No 9 Milligan Bros.
vs
Sarah A. McKee

Canadian County

Be it remembered that on this 24th day of June A. D. 1891 leave was granted appellant in which to file brief and abstract and the call of the docket of said court commencing this cause came on for hearing and was argued on behalf of appellant by C. A. Carswell, and submitted to the court on the briefs filed in said court

No 10 Kuhlman Bros
vs
Chas T. Williams

Canadian County

Be it remembered that on this 24th day of June A.D. 1891 this cause came on for hearing on the regular call of the docket and appellant having failed to file abstract and briefs in said cause in compliance with the rules and counsel not appearing in behalf of appellant It is therefore ordered and adjudged by the Court that the decision of the District of Canadian County be affirmed with costs.

No 11 A. T. & S. F. R R.
vs
William C. Church

Oklahoma County

Be it remembered that on this day this cause came on for hearing on regular call of the docket and on Motion of H. E. Asp counsel for appellant the same was passed for future consideration

No Frank A Bockfinger
vs
Cora V. Diehl et al

Logan County

Be it remembered that on this 25 day of June A. D. 1891 this cause came on for hearing on regular call of the docket and on motion of J. Henry Dale counsel for Cora V. Diehl appellee leave was granted in which to file brief and abstract as of this date. This cause was then argued on behalf of the appellant by Joseph Wisby and leave was granted J. C. Roberts in which to file four copies of his written argument

By order of the Court, Proclamation of the fact being made hereof, the Circuit Court adjourned until tomorrow morning at ten oclock.

Chief Justice

Attest
Chas. A. Filion
Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered that on the 25th day of June A. D. 1891. The Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie in said Territory. The same being the fourth day of the June term of said Court There was present Hon. E. B. Green, Chief Justice presiding, Hon A. J. Seay and Hon John G. Clark associate Justices, John F. Stone, Assistant United States Attorney, J. C. Robb Deputy United States Marshal Chas H. Filson Clerk and E. P. Dubeau crier

Public proclamation of the opening of said Court being made by the Crier the following proceedings were had

No 18 H. H. Bockfinger }
vs } Logan County
Cora V. Diehl et al }

This cause came on for argument pursuant to adjourned order of yesterday and was argued on behalf of defendants by Frank Dale and on behalf of Appellant by Amos Green, when the case was submitted and taken under advisement by the Court.

No 17 Ex rel. Nettie Harlan.

Be it remembered that on this 25th day of June A. D. 1891 this cause came on for hearing on regular call of the docket and It is ordered that the same be dismissed and the cause stricken from the docket.

No 20 Chas. Rider
vs Canadian County
George F. Brown.

Be it remembered that on this 25th day of June A. D. 1891 this cause came on for hearing upon the regular call of the docket.

No 21 John Raines
vs
Territory of Oklahoma

Canadian County

Be it remembered that on this 26th day of June A.D. 1891 a motion was filed by attorney for appellee to affirm the decision of the District Court of Canadian Canadian which was ordered submitted with the files of the Court and taken under advisement.

/

No Alexander F. Smith
vs
Eddy B. Townsend

Oklahoma County

Be it remembered that on this 26th day of June A.D. 91 this cause came on for hearing on regular call of the docket and was argued on behalf of the appellant by J. L. Brown

By order of the Court proclamation thereof being made by the crier the Court adjourned until tomor~~rowing~~ morning at ten o'clock.

Chief Justice

Attest
Chas. H. Filson
Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered that on this 26th day of June A. D. 1891 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment at the City of Guthrie in said Territory, the same being the fifth day of the June term of said Court.

There was present Hon E. B. Green Chief Justice presiding, Hon A. J. Seay and Hon John G. Clark Associate Justices. Horace Speed U. S. Attorney William Grimes Marshal of said Territory by J. C. Robb Deputy Chas. H. Filson Clerk and E. O. Babcock crier

Public proclamation of the opening of said Court being made by the crier the following proceedings were had to wit:

No. Ex-parte J. J. Harlan — Application for writ of Habeas Corpus.

Be it remembered that on this 26th day of June A. D. 1891 this cause came on for hearing and was argued on behalf of the applicant for said writ and presented his verified petition praying that for the reasons set forth in said petition the writ of Habeas Corpus issue to William Grimes Marshal of the United States for said Territory commanding him to have the body of the petitioner before the Supreme Court and to show by what authority he detains him in his custody and restrain him of his liberty and praying further that upon the final hearing of his petition he may be released from such custody and accorded his liberty, and argued in behalf of said Harlan by Zerah Guthrie. and leave granted to Horace Speed United States Attorney to present his argument against the issuance of the writ at another time

No Kuhlman Brothers
vs } Canadian County
John T. Williams

Be it remembered that on this day On motion of [illegible] counsel for appellant leave was granted by the court for appellant to make showing and file motion and make a showing for the reinstatement of this cause. Leave granted until tomorrow morning

William [illegible] Smith
vs
Eddy [illegible]

[illegible] County

Be it remembered that on this [illegible] day of June [illegible] this cause was again taken under consideration by the court and was argued on behalf of the appellant by [illegible] Brown, and on behalf of appellant by John [illegible] and further consideration deferred until tomorrow

By order of the court & proclamation thereof being made by the Crier the court adjourned until tomorrow morning June 2[illegible] [illegible] at 9.30 o'clock

Chief Justice

Attest
Chas. F. [illegible]
Clerk

United States of America } ss.
Territory of Oklahoma }

Be it remembered on this 27th day of June A. D. 1891 The Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie in said Territory, the same being the sixth day of the June term of said Court and there was present Hon E. B. Green, Chief Justice presiding, Hon A. J. Seay and Hon John G. Clark Associate Justices. John H Stone Assistant United States Attorney. William Grimes Marshal by Ransom Payne deputy, Chas. H. Filson Clerk and E. P. Babcock Crier.

Proclamation of the opening of said court being made by the Crier the following proceedings were had.

On motion it was ordered by the Court that C. O. Blake of El Reno Ok. be enrolled as an attorney of this Court upon subscribed the oath.

No 10 Kuhlman Bros vs John T Williams } Appeal from Canadian County

Be it remembered that on this 26th day of June A.D 1891 this cause was called for consideration pursuant the order of the court of June 26th and affidavits and application for re-instatement of cause submitted and motion filed asking leave to file briefs and abstracts, Whereupon it was ordered by the Court that the judgment of affirmance in this cause heretofore made be set aside and the cause submitted on briefs and abstracts. It was ordered by the Court that leave to file briefs and abstract instanter be granted to appellants.

No. 20 Charles Rider vs George W. Brimstal } Appeal from Canadian County

Be it remembered that on this 26th day of June A.D 1891 this cause was submitted on behalf of appellees on briefs and taken under consideration by the Court.

No 21 John Davis vs Territory of Oklahoma } Appeal from Canadian County.

Be it remembered that on this 26th

day of June A.D. 1891 leave was granted counsel for appellant to file abstract in the cause and the motion to affirm judgment of District Court of Canadian County heretofore filed by counsel for appellee is hereby overruled and cause submitted by appellant on briefs

No 24 C.K.&N. R.R. vs William O. [illegible] — Appeal from Oklahoma County

Be it remembered that on this 27th day of June A.D. 1891 this cause came on for consideration on regular call and was argued on behalf of appellant by H.E. Asp. Further consideration of the cause was deferred until Monday June 29 1891

No 31 Alexander F. Ward vs [illegible] Bo[illegible] — Appeal from Oklahoma County

~~A.D. 1891 at~~ Be it remembered on this 27th day of June A.D. 1891 a further consideration of the cause was had by the Supreme Court argument for appellee being made by John F. Stone and argument on behalf of the appellant being concluded by Amos Green. When the case was submitted and taken under consideration by the Court.

By order of the Court a proclamation thereof being made by the Crier the Court adjourned until Monday Morning June 29 1891 at ten o'clock

Chief Justice

C.H. Filson
Clk

United States of America } SS
Territory of Oklahoma }

Be it remembered that on this 29th day of June A.D. 1891 the Supreme Court of the Territory of Oklahoma was opened in the City of Guthrie in said Territory pursuant to adjournment. The same being the seventh day of the June term of said Court. There was present Hon. Edward B. Green Chief Justice presiding, Hon A. J. Seay and Hon John G. Clark, Associate Justices. Horace Speed United States Attorney for the Territory of Oklahoma, William Grimes U.S. Marshal by J. C. [illegible] deputy, Chas. H. Filson Clerk, and [illegible] Crier.

Proclamation of the opening of said Court having been made by the Crier, the following proceedings were had.

No [illegible]

vs

William C. Church

Appeal from Oklahoma County

Be it remembered that on this 29th day of June A.D. 1891 this cause was continued by argument and the cause argued on behalf of the appellant by H. E. Asp, and on behalf of the appellee by P. R. Connellan. Leave was granted Appellant to file abstract of said cause at the earliest date possible when it was submitted and taken under consideration by the Court.

No Ex parte J. Shatten [illegible]

Application for writ of Habeas Corpus from Oklahoma County

Be it remembered that on this 29th day of June A.D. 1891 this cause came on for further consideration by the Court upon regular call of the docket and was argued on behalf of the United States by Horace Speed United States Attorney and on behalf of the petitioner by Judge Cotteral.

Leave granted United States Attorney to file brief in said cause when the same was submitted and taken under consideration by the Court.

By order of the Court, Proclamation having been made by the Crier, the Court adjourned until tomorrow June 30, 1891 at ten o'clock A. M.

Attest
Chas. H. Filson Clerk

Chief Justice

United States of America }
Territory of Oklahoma }

Be it remembered that on the [illegible]
day of [illegible] the Supreme Court of the Territory of
Oklahoma met [illegible] in [illegible] Guthrie
pursuant to adjournment. Present [illegible]
[illegible]
Chief Justice [illegible]
Associate Justices [illegible] United States Attorney for
said Territory [illegible]
Chas. H. Filson Clerk [illegible]
Proclamation of the court [illegible] and [illegible]
were the following [illegible]

No 21 John [illegible]
vs. } Appellee
Territory of Oklahoma } [illegible]

Be it remembered that on the [illegible] day of [illegible] this cause came on for hearing upon regular call of the docket. It was argued [illegible] the appellant [illegible] [illegible] submitted [illegible] [illegible] this cause [illegible] taken under consideration by the court.

On motion it was ordered by the court that the following attorneys be admitted to practice and be enrolled as attorneys and counsellors at law of this court and they subscribed to the [illegible] oath.
Fred L. Morgan [illegible]
J. [illegible] [illegible]

No. [illegible]
vs. } Appellant
Terr. of Oklahoma } [illegible] County

Be it remembered that this [illegible] day of [illegible] A.D. 1894 this cause came on for hearing upon regular call of the docket and a motion to dismiss the appeal having been filed and [illegible] argued by counsel for appellant. It was ordered by the court after consideration that the same be passed and the irregularities alleged would be considered upon the final consideration of the cause when if the bill of exceptions and the record in the cause shall be found imperfect the same will be dismissed or considered and determined upon the merits contained therein. Argument on behalf of the appellant was made by [illegible] of [illegible] [illegible] behalf of the appellee by D. A. Cammnager &c. further consideration of the cause then adjourned until tomorrow.

No Chas. W. Dicus

Be it remembered that on this 30th day of June A.D. 1891 this cause came on for the consideration of the Court upon regular call of the docket. A motion to dismiss the appeal of said Dicus having been heretofore filed by appellee with reasons therefor supported by affidavits, in the consideration of which it was ordered by the Court that argument in this cause proceed and the irregularities alleged would be considered upon the final presentation of the cause, when if the bill of exceptions and the record in this cause shall be found imperfect the same may be dismissed or considered and determined upon the merits presented therein. The cause was then argued on behalf of the appellee by D. A. Cammnager &c. further consideration deferred until tomorrow.

The emolument returns and accounts of Chas. H. Filson Clerk of the Supreme Court of the Territory of Oklahoma were presented in open Court and on motion of Hon Horace Speed U.S. Attorney for the Territory of Oklahoma the said accounts to $141.50

It was ordered by the Court that the same be and hereby is approved.

By order of the Court Proclamation thereof was made by the Crier, the Court adjourned until tomorrow morning July 1st 1891 at ten o'clock.

Chief Justice

attest.
Chas. H. Filson
Clerk

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this the First day of [illegible] the Supreme Court of the Territory of Oklahoma met in the city of Guthrie pursuant to adjournment [illegible] from the ninth day of the [illegible] term of said Court. There were present Hon E. B. Green Chief Justice presiding, Hon A. J. Seay [illegible] John [illegible] Associate Justices [illegible] United States Attorney for the Territory of Oklahoma, William Grimes Marshal, [illegible] J. C. Cobb deputy, Chas [illegible] Filson Clerk and E. P. [illegible] crier.

Proclamation of the opening of said Court having been made by the crier the following proceedings were had.

No [illegible] } Appeal from
vs } Logan County
[illegible] Cunningham }

Be it remembered that on this first day of [illegible] the cause came on for further consideration [illegible] was argued [illegible] by [illegible] Cunningham and on behalf of appellant by [illegible] Morgan. When it was ordered by the court that leave be granted said [illegible] until [illegible] in which to [illegible] said cause, after which leave would be given said [illegible] of [illegible] days from said date in which to file answer. After which the cause was taken by the Court.

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this the thirty-first day of October 1891 the Supreme Court of the Territory of Oklahoma met in pursuance to adjournment order of said court, the same being the tenth day of the second regular term of said court in the city of Guthrie. There were present Hon. E. B. Green Chief Justice presiding and Hon. A. J. Seay and Hon. John G. Clark Associate Justices, Horace Speed United States Attorney, William Grimes Marshal, J. C. Roth Deputy, Chas. H. Filson Atty and E. P. Babcock Crier.
Proclamation of the opening of said Court being made the following proceedings were had:

No. 27 Territory of Oklahoma ex rel.
William H. McDaid et al.
vs
Stephen H. Bradley et al.

Be it remembered that on the 31st day of October 1891 a motion was filed by H. J. Cunningham attorney for appellee asking that said cause be advanced upon the docket and that it be set down for hearing at once. Whereupon it was ordered by the Court that said cause be advanced and leave granted to counsel for both parties to file briefs in said cause.

No Ex parte [illegible]
Application for writ of habeas corpus

Be it remembered that on this 31st day of October 1891 this cause came on for decision and the court being fully advised, the same having been heretofore fully argued, whereupon it is ordered and adjudged by the court that the petition for the writ of habeas corpus be denied.
The opinion of the Court was delivered by Green C.J. all the justices concurring.
The opinion is recorded in full in Opinion Book at page

No Ex parte [illegible] Moore et al. [illegible] } Application for writ of habeas corpus Cleveland County

Be it remembered that on this 31st day of October 1891 this cause came on for hearing

and the Court having been hereto fully advised in the same, having been fully argued by counsel, and it was therefore ordered and adjudged by the Court that the said application be denied.
The decision was rendered by Hon. A. J. Seay ~~[illegible]~~ Associate Justice who announced that the written opinion would be filed hereafter.

No. H. H. Docafuger vs Cora V. Dunkelel } Appeal from Logan County

Be it remembered that on this 31 day of October 1891 a motion for additional bond be required of appellant was filed by Dale and Thomas counsel for appellee, which motion was overruled by the Court.

In re
Attaching the newly organized Counties in Oklahoma Territory to Judicial Districts as heretofore organized for judicial purposes }

It is ordered by the Court:

Co. A. That County "A", be attached to the First Judicial District of said Territory, and that a term of said District Court shall be held at the town of Chandler in said County on the First Tuesday of December and the first Tuesday of June of each year and that the first term of said Court shall be held on the first Tuesday of December A.D. 1891.

County B. That County "B" be attached to the Third Judicial District of said Territory, and that a term of said District Court shall be held at the town of Tecumseh in said county on the first Tuesday of December and the first Tuesday of February of each year and the first term of said Court shall begin on the first Tuesday of February A.D. 1892.

The following named attorneys filed evidence of their admission as attorneys and on motion it was ordered by the Court that they be enrolled as attorneys of this court.

Joel Hall
Jno. J. Hubbell
Alonzo A. Byers
William A. Irvine
George L. Perkins

Territory of Oklahoma ex rel
William H McDaniel et al
vs
Stephen H Bradley et al

Be it remembered that on this 31 day of October A.D. 189 on motion of J H Cunningham Esq. this cause was ~~[illegible]~~ submitted and ordered to be taken under consideration by the Court upon the filing of briefs and abstracts and leave was granted appellee to cite Township Board Number Six as successors to appellants in this cause to interplead in this cause

On motion It was ordered by the Court that the following named attorneys be enrolled as Attorneys and Counsellors at Law of this Court whereupon they subscribed the prescribed oath and were duly enrolled

Joel C. Holt	Guthrie	O.T.
Alonzo C. Byers		"
C. H. Hubbell	"	"
Thomas H Perrin	"	"
William A Keene	"	

By order of the court, proclamation thereof being made by the crier the court adjourned sine die

Attest
C H Filson Clerk

United States of America } SS
Territory of Oklahoma }

Be it remembered that on this 5th day of January A.D 1892 the Supreme Court of the Territory of Oklahoma was convened in the City of Guthrie in said Territory, the same being the first day of the January term of said Court and there was present Hons John G Clark and A. J. Seay associate Justices Horace Speed and John F. [illegible] United States Attorney for said Territory, William Grimes Marshal by [illegible] Deputy, Charles H Filson Clerk and E. P. Babcock Crier

Proclamation of the opening of said Court being made the following proceedings were had

On motion of Henry Asp Esq it was ordered by the Court that the following named gentlemen be enrolled as attorneys and Counsellors of law of this Court

M. J. Kane Kingfisher Ok.
William McCartney " "
N. F. [illegible] " "
Virgil M. Hobbs " "

No. 26 S. H. Peterson et al

vs

Gem Flour & Feed Co

Be it remembered that on this 5th day of January 1892 a motion was filed by appellants in this cause asking leave to file amended petition in error and amended assignment in error which was granted

No M. F. Johnson

vs

Be it remembered that on this 5th day of January A.D 1892 Leave was granted to appellee in this cause to file motion to dismiss the appeal.

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this 6th day of January A.D. 1892 The Supreme Court of the Territory of Oklahoma was convened in the City of Guthrie in said Territory of Oklahoma being the Second day of the regular January term of said Court and there was present Hon John G Clark Ch J & Hon A. J. Seay Associate Justices Jno. F. Stone Assistant United States Attorney for the Territory of Oklahoma William Grimes Marshal by J. C. Post Deputy Chas. H. Filson Clerk and E. P. Babcock Crier. Proclamation of the opening of said Court being made by the Crier the following proceedings were had

No 24 S. F. Atkinson et al
vs
Peru Plow & Wheel Co.

Be it remembered that on this 6th day of January 1892 Leave was granted Counsel for both parties to this cause, to file agreement to continue the further consideration and argument in the case for fifteen days.

No 30 M. Carter Mill Co
vs
E. J. Kelley

Be it remembered that on this 6th day of January 1892 Leave was granted Counsel for appellee to file motion to dismiss the appeal.

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on this 7th day of January A.D. 1892 the Supreme Court of the Territory of Oklahoma was opened in the City of Guthrie in said Territory, the same being the third day of the regular January term of said Court. There was present Hon. E. B. Green Chief Justice presiding and Hon A. J. Seay and Hon John G. Clark Associate Justices, Horace Speed United States Attorney for said Territory, William Grimes Marshal by J. C. Roberts deputy, Chas. H. Filson Clerk and E. O. Baker Crier. Public proclamation of the opening of said Court being made by the Crier the following proceedings were had.

No 33 Johnson et al
vs
Pierce and O'Donnell

Be it remembered that on this 7th day of January 1892 leave was granted to file motion to dismiss appeal in this cause and motion to recall supersedeas heretofore issued, which said motions are taken under consideration by the Court.

No 26 N. H. Robinson et al }
vs } Kingfisher County
Peru Plow and Wheel Co. }

Be it remembered that this 7th day of January 1892 this cause came on for hearing on the regular call of the docket and by agreement of counsel for both parties the same was continued until January 22. 1892

No. Daniel C. McDaniel et al }
vs } Logan County
R. F. Bradley et al }

Be it remembered that on this 7th day of January 1892 this cause came on for hearing on regular call of the docket and was submitted on briefs filed and were taken under consideration by the Court.

On motion of the Hon. Horace Speed United States Attorney, the report of W. J. [illegible] Clerk of the District Court for the Second Judicial District of Oklahoma Territory for the period commencing August 1, 1891 and ending December 31, 1891 for the sum of $[illegible] was presented in open Court and it having been proved to the satisfaction of the Court in the presence of the Hon. Horace Speed United States Attorney that the services therein charged for have been actually and necessarily rendered and performed and that no per diem fees were charged or allowed except for days that Court was opened for and did actually transact business except as to Dec. 21st 1891 and it further appearing to the Court that all of said charges are reasonable and just and such as are allowed by law It is therefore ordered and adjudged by the Court that said report amounting to $[illegible] 65/100 be and the same is hereby approved.

No 27 City of Guthrie vs M. O. Losey } Logan County

Be it remembered that on this 9th day of January 1892 this cause came on for hearing on regular call of the docket and it was ordered by the Court that the same be assigned for oral argument on January 21 1892 and that the appearance of Henry E. Asp and Joseph [illegible] Esq. be entered as attorneys for appellee.

No. 28 Ter. Okla. vs A. N. Smith } Oklahoma County

Be it remembered that on this 9th day of January 1892 this cause came on for hearing on the regular call of the docket and was submitted on the briefs and abstracts heretofore filed in said cause and was taken under advisement by the court.

It was ordered by the Court that the following named attorneys be enrolled as attorneys and Counsellors at Law in this Court:

N. R. [illegible] [illegible]
[illegible] Hewick El Reno
Theodore [illegible] Guthrie
M. L. Crozier Guthrie
P. C. [illegible] Kingfisher
J. L. Rowlin El Reno

No. 30 M. Carter et al
vs
E. J. Kelley

Be it remembered that on this 7th day of January 1892 this cause came on for hearing on the regular call of the docket and a motion to dismiss the appeal was filed by M. J. Kane Esq attorney for appellee. The said motion was taken under consideration by the Court.

No. Ex parte
George W. Fisher

Be it remembered that on this 7th day of January 1892, the petitioner George W. Fisher by his attorney Amos Green Esq presented his duly verified petition, praying that an appeal be granted to this Court from the District Court of Oklahoma County, sitting with the powers of a United States District Court and further praying that he be released from the custody of the United States Marshal of Oklahoma Territory upon bail pending said appeal and that the Court fix the amount of the bail bond required.
Whereupon the cause was argued upon behalf of the petitioner by Amos Green Esq and on behalf of the United States by Hon Horace Speed United States Attorney.

No. Ex parte
George W. Murphy

Be it remembered that on this 7th day of January 1892 the petitioner George W. Murphy by his attorney Amos Green Esq presented his duly verified petition praying that an appeal be granted to this Court from the District Court of Oklahoma County sitting with the powers of a United States District Court and further praying that he be released from the custody of the United States Marshal of Oklahoma Territory upon bail pending said appeal and that the Court fix the amount of the bail bond required.
Whereupon the cause was argued upon behalf of the petitioner by Amos Green Esq and on the part of the United States by Hon. Horace Speed United States Attorney.

By order of the Court, proclamation thereof being made by the Crier, the Court adjourned until tomorrow morning January 5, at ten oclock

Attest:
Chas. [illegible]
Clerk

United States of America } SS.
Territory of Oklahoma }

Be it remembered that on this 8th day of January A.D. 1892 the Supreme Court of the Territory of Oklahoma was opened in the City of Guthrie pursuant to adjournment and there was present Hon. E. B. Green Chief Justice presiding Hon. John G. Clark and Hon. A. J. Seay Associate Justices, Horace Speed United States Attorney for the Territory of Oklahoma, John F. Stone Assistant United States Attorney, William Grimes Marshal by [illegible] deputy, Charles H. Filson Clerk and E. C. Burbach Crier.
Proclamation of the opening of said Court being made the following proceedings were had.

No. 30. M. Curtis et al vs E. J. Kelley } Kingfisher Co.

Be it remembered that on this 8th day of January 1892 this cause came on for hearing upon motion filed by appellee to dismiss appeal whereupon it was ordered by the Court that the said motion be overruled and a rule entered that appellants show cause by the twelfth inst. why their appeal should not be dismissed for failure to file cost bond.

No. 31. N. S. Johnson vs E. A. Maccabee } Canadian County

Be it remembered that on this 8th day of January 1892 this cause came on for hearing upon regular call of the docket and was submitted on the briefs and abstracts heretofore filed and was taken under consideration by the Court.

No. 32 F. Pebbe vs E. L. Frank et al [illegible] } Kingfisher County

Be it remembered that on this 8th day of January 1872 this cause came on for hearing on regular call of the docket and was by order of the Court continued for service.

United States of America
Territory of Oklahoma SS.

Be it Remembered that on this the twelfth day of January A.D 1892 The Supreme Court of the Territory of Oklahoma met pursuant to adjournment the same being the fifth day of the January term of said Court and there was present Hon E. B. Green Chief Justice presiding Hon John G. Clark and Hon A. J. Seay Associate Justices. John F Stone Assistant U.S. Attorney. William Grimes Marshal by J. C. Robb. deputy Charles H Filson Clerk and E. P. Babcock Crier

Proclamation of the opening of said Court being made by the Crier the following business was transacted

On motion of Henry E. Asp Esq. It was ordered by the Court that Fred W. Bentley be admitted to practice before this Court in gracia.

No 30 M. Courter & Co
vs
E. J. Kelley

Be it remembered that on this 12th day of January A.D 1892. this cause came on for hearing as ordered for appellants to show cause why their appeal should not be dismissed for failure to file cost bond. Whereupon it was ordered by the Court that appellant be allowed fifteen days within which to perfect their appeal by filing a good and sufficient bond for costs. when cause may be submitted on briefs and abstracts

No 33 N. G. Johnson et al
vs
S. A. Peck et al

Be it remembered that on this 12th day of January 1892 this cause came on for consideration upon motion of appellee to dismiss this appeal and motion to recall supersedeas heretofore issued. Whereupon it is ordered by the Court. that the said Supersedeas be quashed. and the motion of appellee to dismiss be overruled and appellant granted leave until the twenty second day of January 1892 to file transcript

Ex-parte

James W. Murphy.

Be it remembered that on this 2d day of January 1892 this cause came on for decision and the cause having been fully argued, and the Court being fully advised in the premises it was ordered by the Court that petitioner be remanded to the custody of the Marshal and that the District Court of Oklahoma County fix the amount of the bail bond required and approve the sureties thereof and allow the petitioner a reasonable time within which to perfect his appeal.

The opinion was rendered by Hon. E. B. Green Chief Justice. Hon A. J. Seay Associate Justice concurring. Hon John G. Clark Associate Justice dissenting.

Ex-parte,

George W. Fisher

Be it remembered that on this 2d day of January 1892 this cause came on for decision and the cause having been fully argued, and the Court being advised in the premises, It is ordered by the Court that petitioner be remanded to the custody of the Marshal, and that the District Court of Oklahoma County fix the amount of the bail bond required and approve the sureties thereof and allow the petitioner a reasonable time within which to perfect his appeal.

The opinion in this cause is fully covered and is the same as in the preceding case of James W. Murphy.

Ex-parte

Noah Rich.

Be it remembered that on this 12th day of January 1892 this cause came on for decision and the cause having been fully argued, and the Court being fully advised in the premises. It was ordered by the Court that petitioner be remanded to the custody of the Marshal and the District Court of Oklahoma County fix the amount of the bail bond required and approve the sureties thereof and allow the petitioner a reasonable time to perfect his appeal.

The opinion in this cause is fully covered and is the same as in the preceding case of James W. Murphy.

Be it remembered that this 12 day of January 1892 the Supreme Court of the Territory of Oklahoma was by order of the Court, proclamation thereof being made by the Crier adjourned until the 21st day of January 1892.

Edw. B. Green

Chas H Filson,
Clerk

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on this 11th day of January 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment the same being the fifth day of the January term of said Court. There was present Hon E. B. Green, Chief Justice, presiding Hon A. J. Seay and Hon John G. Clark Associate Justices Horace Speed U. S. Attorney, William Grimes Marshal by J. C. Roff Deputy, Chas. H. Filson Clerk Geo. P. Beck [illegible], Crier

Proclamation of the opening of the Court being made the following proceedings were had.

On motion it was ordered by the Court that the following named attorneys be admitted to practice whereupon they signed the prescribed oath and were duly enrolled as attorneys and Counsellors of Law of this Court

Henry H. Howard Oklahoma City.
W. G. McDaniel El Reno

It was ordered by the Court proclamation thereof being made by the Crier that the Court stand adjourned until tomorrow morning January 12 1892.

Chief Justice

Attest
Chas. H. Filson
Clerk

United States of America }
Territory of Oklahoma }

Be it remembered that on this 21st day of January 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment and there were present Hon E. B. Green Chief Justice presiding and Hon A. J. Seay Associate Justice. Chas H Filson Clerk and E. P. Babcock Crier.

Proclamation of the opening of said Court being made the following proceedings were had:

It was ordered by the Court proclamation thereof being made by the Crier that the Court stand adjourned until tomorrow January 22, 1892 at three o'clock.

Attest
Chas H Filson
Clerk

United States of America }
Territory of Oklahoma } SS

Be it remembered that on this 22d day of January 1892 The Supreme Court of the Territory of Oklahoma met at the City of Guthrie in said Territory pursuant to adjournment. And there was present Hon. E. B. Green Chief Justice presiding, Hon A. J. Seay and Hon John G. Clark, Associate Justices. [illegible] F. Stone Esq Assistant United States Attorney for the Territory of Oklahoma. J. C. Robb as United States Marshal, Chas. H. Filson Clerk and E. P. Babcock Crier.
Proclamation of the opening of said Court being made the following proceedings were had.

No 26 J. F. Robinson }
vs } Kingfisher Co.
Pine Flour & Mill Co }

Be it remembered that on this 22d day of January 1892 this cause came on for hearing as per order of the Court and leave was granted counsel for appellees to file motion to correct copy of the record and motion to strike out portion of the bill of exceptions which would be taken under consideration and determined by the Court in the final determination of the cause. Whereupon this cause was argued on behalf of appellants by W. A. McCartney and John I. Dille Esqs and upon behalf of appellee by J. W. McLoud Esq and was submitted and taken under consideration by the Court.

On motion of [illegible] Wisby Esq It was ordered by by the Court that George B. M. Price be enrolled as an attorney of this Court whereupon the applicant subscribed the prescribed oath and was duly enrolled.

H. G. Dawson et al }
vs }
J. A. Peck et al }

Be it remembered that on this 22d day of January 1892. T. G. Cutlip Esq attorney for appellants stated that this cause had been compromised by the parties to this suit whereupon it was ordered by the Court that the same be dismissed.

Be it remembered that on this 22d. day of January 42 It was ordered by Court. proclamation thereof being made by the Crier that the Court stands adjourned until Monday January 25, 1842 at three oclock P.M.

Attest,
Chas H Felson
Clerk

United States of America }
Territory of Oklahoma } SS

Be it remembered that on this 25th day of January 1892 The Supreme Court of the Territory of Oklahoma met at the City of Guthrie in said Territory pursuant to adjournment and there was present Hon E. B. Green Chief Justice and Hon A. J. Seay Associate Justice Chas H Filson Clerk and E P Babcock Crier.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

There being no business to transact a further adjournment of the court was ordered until Thursday January 28th 1892 at three o clock which order was duly proclaimed by the Crier.

Attest
Chas H Filson
Clerk

United States of America }
Territory of Oklahoma } S.S.

Be it remembered that on this First day of February 1892 The Supreme Court of the Territory of Oklahoma met pursuant to adjournment at the City of Guthrie and there was present Hon E. B. Green Chief Justice presiding and Hon A. J. Seay and Hon. John G. Clark Associate Justices. John F. Stone Assistant United States Attorney. William Grimes Marshal by J. C. Robb deputy Chas. H. Filson Clerk and E. C. Babcock. Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

No 10 Kuhlman Brothers vs Charles F. Williams } Appeal from Canadian County

Be it remembered on this First day of February 1892, this cause came on for decision, the same having heretofore been submitted on briefs and abstracts and the Court being fully advised in the premises. Whereupon it was ordered by the Court that the judgment of the District of Canadian County is affirmed with costs.
The opinion of the Court was delivered by Hon John G. Clark, Associate Justice, Hon E. B. Green C. J. and Hon A. J. Seay Associate Justice Concurring in said opinion will will be found in Opinion Book see page.

No Atchison Topeka & Santa Fe Railway Co vs William C. Church. } Appeal from Oklahoma County

Be it remembered on this First day of February 1892 this cause came on for decision. the same having been heretofore fully argued and submitted on briefs and the Court being fully advised herein It is therefore ordered by the Court that the judgment of the District Court of Oklahoma County be reversed and cause remanded for a new trial. It is further ordered that appellant recover from the appellee his costs herein expended, and hereof let execution issue.
The opinion of the Court was delivered by Hon A. J. Seay, Associate Justice. Concurring Hon E B Green C J and Hon John G. Clark J.
The opinion will be found in Opinion Book at page.

No 18. A. H. Beckfinger } Appeal from
vs } Logan County
Cora I. Benedict }

Be it remembered that on this first day of February 1892 this cause came on for decision: thereupon it was ordered by the Court that the judgment of the District Court of Logan County be affirmed with costs and hereof let execution issue. The opinion of the Court was delivered by Hon. Judge Clark J. Green C.J. & Seay J. concurring, to which judgment [illegible] Esq. attorney for appellant then and there excepted.

No. 22 O. B. Dix } Appeal from
vs } Logan County
D. A. Emminger }

Be it remembered on this first day of February 1892 this cause came on for decision: thereupon it was ordered by the Court that the judgment of the District Court of Logan County be reversed and the case remanded for a new trial. It is further ordered that appellant recover from appellee his costs herein expended and hereof let execution issue. The opinion of the Court was delivered by Clark J. Green C.J. & Seay J. concurring in said opinion which will be found in Opinion Book at page.

No 23. Chas. W. Dicks } Appeal from
vs } Logan County
D. A. Emminger }

Be it remembered that on this first day of February 1892 this cause came on for decision: thereupon it was ordered by the Court that the judgment of the District Court of Logan County be reversed and the case remanded for trial. It is further ordered that appellant recover from appellee his costs herein expended and hereof let execution issue.
The opinion of the Court was delivered by Clark J. Green C.J. & Seay J. concurring in said opinion which will be found in Opinion Book at page

No. 24 Alexander F. Smith } Appeal from
vs } Oklahoma County
Eddy B. Townsend }

Be it remembered on this first day of February 1892 this cause came on for decision: whereupon it was ordered by the Court that the judgment of the District Court of Oklahoma County be affirmed with Costs.
The opinion of the Court was delivered by Green C.J. Seay J. and Clark J. Concurring, to which judgment Amos Green Esq. Attorney for appellant then and there excepted and prayed an appeal to the Supreme Court of the United States which was granted upon appellant furnishing a bond in the sum of five hundred to be approved by the Clerk of this Court within twenty days.

It was ordered by the Court proclamation thereof being made by the Crier that this Court stand adjourned until tomorrow February 2d 1892 at 2 o'clock P.M.

Attest:
Chas. H. Filson
Clerk

Chief Justice

United States of America } ss.
Territory of Oklahoma }

Be it remembered on the second day of February 1892 the Supreme Court of the Territory of Oklahoma met at the city of Guthrie in said Territory pursuant to adjournment.

There was present Hon. E. B. Green Chief Justice presiding Hon. John G. Clark Associate Justice, Hon F. Stone Esq. Assistant United States Attorney, William Grimes Marshal by J. C. Robb Deputy, Chas H. Filson Clerk and E. P. Babcock Crier.

Proclamation of the opening of the Court being made by the Crier the following proceedings were had.

No. William Brase } Appeal from
vs } Canadian County
Sarah C. McKee }

Be it remembered on this second day of February 1892 this cause came on for decision: Whereupon it is adjudged and ordered by the Court that the judgment of the District Court of Canadian County be reversed and the case remanded for trial. The opinion of the Court was delivered by Green C. J. all the Justices concurring.

Said opinion is entered at large at p. Opinion Book A

United States of America } SS.
Territory of Oklahoma }

Be it remembered that this third day of February A.D. 1892 The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There was present Hon E. B. Green Chief Justice and Hon John G. Clark associate Justice; John F. Stone Assistant United States Attorney, William Grimes Marshal by J. C. Roth deputy, Chas H Filson Clerk and E. B. Babcock Crier.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

The following resolutions were read and it was ordered that they be spread at large upon the records of this Court.

Guthrie, Oklahoma Territory Feb. 1st 1892

At a meeting of the Territorial Bar Association the following Resolutions were unanimously adopted:

Whereas, The Hon A. J. Seay has this day resigned his position as Associate Justice of the Supreme Court of this Territory to enter upon the duties of Governor. and

Whereas, The members of the Territorial Bar Association deem it fit and proper on this occasion to give expression to the kindly feeling and high regard they entertain for Judge Seay;

Therefore Resolved That we recognize in the Hon A. J. Seay and his strong common sense, his practical experience in the various avocations and affairs of life, his generous heart and broad sympathies for his fellow men of all classes and conditions in life, his purity of heart and character, his acute sense of justice, equity and legal acumen, and eminent judicial experience, learning and ability, a man peculiarly and thoroughly adapted and qualified to grapple with and solve correctly the many unique and difficult legal problems that arise and are presented to the Courts of this Territory, for solution

Resolved, That while we sincerely deplore the retirement of the Hon A. J. Seay from the Supreme Bench of this Territory, we cordially congratulate and hail him as our Chief Executive, and here pledge to him our continued confidence and friendship. in evidence of which we hereby constitute

and adopt him as an honorary member of the Oklahoma Bar Association.
Resolved, That a copy of these resolutions be presented to the Hon A. J. Seay, and to the Supreme Court to be spread upon the records of said Court, and that copies be furnished for publication in the press of the Territory.

Amos Green
W. L. [illegible]
J. D. Leach
W. S. Lawrence
J. C. Lewis.

Attest:
Harper S. Cunningham
Chairman
Territorial Bar Association.

United States of America } S.S.
Territory of Oklahoma }

Be it remembered that on this 28th day of January A.D. 1892 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, pursuant to adjournment. and there was present Hon. E.B. Green Chief Justice presiding and Hon A. J. Seay Associate Justice. John F. Stone Esq Assistant United States Attorney. William Grimes Marshal by J. C. Robb deputy. Chas H. Filson. Clerk and E. C. Babcock Crier.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

In re.
Changing the date holding
terms of the District Court
in the various districts of
The Territory of Oklahoma. }

It is ordered by the Court: that a term of the District Court shall be held in the First Judicial District of said Territory at the City of Guthrie, in the County of Logan, commencing on the first Monday in March and September of each year. and that a term of said District Court shall be held at the town of Stillwater in the county of Payne commencing on the third Tuesday in April and first Tuesday in November of each year. and that a term of said District Court shall be held at the town of Chandler, in County "A" commencing on the fourth Tuesday in May and last Tuesday in November of each year.

And that term of the District Court shall be held in the Second Judicial District of said Territory at the town of Kingfisher, in Kingfisher county, commencing on the third Monday in February and the first Monday in October of each year, and that a term of said District Court shall be held at the town of El Reno in Canadian County, on the first Monday in April and Second Monday in November of each year,

And that a term of said District Court shall be held in the Third Judicial District of said Territory at the town of Norman, in Cleveland county commencing on the last Monday in February and last Monday in August of each year,

And that a term of said Court shall be held in the City of Oklahoma in Oklahoma County commencing on the third Monday in March and third Monday

in October of each year
And that the terms of said Court shall be held at the town of Tecumseh in County B commencing on the first Tuesday in June and Second Tuesday in December of each year.

In re
Attaching the Cherokee Outlet
to organized Counties In the
Territory of Oklahoma
For judicial purposes.

It is ordered by the Court that all of that of the Cherokee Outlet lying west of the range line which divides range three (3) and four (4) west of the Indian Meridian be attached to the County of Kingfisher for judicial purposes.

It was ordered by the court that the Court adjourn until [illegible] and it was so proclaimed

Attest
[illegible]

United States of America }
Territory of Oklahoma }

Be it remembered on this the 15 day of February 1892 It is ordered by the Supreme Court of the Territory of Oklahoma that Honorable John G. Clark be assigned to Kingfisher County in the Second Judicial District for the purpose of opening and adjourning the District Court of said County, which will stand adjourned until the First Monday in March AD. 1892

United States of America S.S.
Territory of Oklahoma

Be it remembered that on this 15 day of February A.D. 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie and there was present Hon. E. B. Green Chief Justice presiding, John F. Stone Esq. Assistant U.S. Attorney, Chas. H. Filson Clerk, E. B. Babcock Crier. Proclamation of the opening of said Court being made It was ordered that said Court stand adjourned until February 22. 1892 and was so proclaimed.

Chief Justice

Attest:
Chas. H. Filson

United States of America S.S.
Territory of Oklahoma

Be it remembered that on the 22d day of February 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie there was present Hon. E. B. Green Chief Justice presiding, John F. Stone Esq. Assistant U. S. Attorney, Chas. H. Filson Clerk, E. B. Babcock Crier. Proclamation of the opening of said Court being made It was ordered that said Court stand adjourned until March 8. 1892. and it was so proclaimed.

Chief Justice

Attest
Chas. H. Filson
Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered on this 8th day of March 1892 the Supreme Court of the Territory of Oklahoma was called in pursuant to adjournment in the City of Guthrie. There was present Hon. E. B. Green Chief Justice presiding John F. Stone Esq assistant United States attorney Chas. A. Filson Clerk and E. C. Babcock Crier.

Proclamation of the opening of said Court being made, It was ordered that said Court stand adjourned until March 15. 1892 at 3.00 oclock P.M. and it was so proclaimed.

Chief Justice

Attest
Chas. A. Filson
Clerk

United States of America } S.S.
Territory of Oklahoma }

Be it remembered on this 15 day of March 1892 the Supreme Court of the Territory of Oklahoma was opened pursuant to adjournment in the City of Guthrie. There was present Hon E. B. Green Chief Justice presiding. John F. Stone Esq assistant United States Attorney, Chas A Filson Clerk and E. C. Babcock Crier.

Proclamation of the opening of the Court being made It was ordered that said Court stand adjourned until March 22. 1892 at three oclock P.M. and it was so proclaimed.

Chief Justice.

Chas A Filson
Clerk.

United States of America } ss.
Territory of Oklahoma }

Be it remembered, on this 28th day of March 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie. There was present Hon E. B. Green, Chief Justice presiding, Hon John H. Burford associate justice, [illegible] F. Stone Esq. assistant United States attorney, Chas. H. Filson clerk, and E. P. Babcock Crier.
Proclamation of the opening of said court being made the following proceedings were had.

In re.
The March term of District Court
for 1892 in Kingfisher County.

It is ordered by the Court,
That the March term of the District Court 1892 be held and commenced at the town of Kingfisher on the fourth Monday in May 1892

In re.
Assignment of Justice to
Second Judicial District of
The Territory of Oklahoma.

It is ordered by the Court:
that Honorable John H. Burford, associate justice of the Supreme Court of the Territory of Oklahoma be and hereby is assigned to the Second judicial District of said Territory

It is ordered by the Court that the commission and oath of office of Honorable John H. Burford be spread at large upon the records of the Court.

It was ordered by the Court that the court stand adjourned until Wednesday afternoon March 30. 1892 at three o'clock P.M. and it was so proclaimed.

Attest
Chas. H. Filson Clerk

Benjamin Harrison,
President of the United States of America.
To all who shall see these Presents Greeting:

Know Ye: That reposing special trust and confidence in the Wisdom, Uprightness and Learning of John H Burford of Oklahoma Territory, I have nominated, and, and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma and authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said John H Burford for the term of four years from the day of the date hereof, subject to the conditions and provisions prescribed by Law.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal

Given under my hand at the City of Washington the 8th day March in the year of our Lord One thousand eight hundred and ninety two and of the Independence of the United States of America the one hundred and sixteenth.

Benj Harrison

By the President

W. H. H. Miller
Attorney General

I, John H Burford do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or Constitution within the United States hostile or inimical thereto and I do further swear that, to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same: that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

John A Burford

Sworn to and subscribed before me this 22nd day of March 1872

E. D. Fuller
Cnty [illegible]

United States of America } Ss.
Territory of Oklahoma }

Be it remembered on this 30th day of March 1892 the Supreme Court of the Territory of Oklahoma met, pursuant to adjournment, in the City of Guthrie.

There was present Hon. E. B. Green, Chief Justice, and Hon John H. Burford Associate Justice, Horace Speed United States Attorney, William Grimes Marshal, by Ransom Payne Deputy, Chas. H. Filson Clerk and E. P. Babcock Crier.

Proclamation of the opening of the Court being made the following proceedings were had:

On motion of A. J. Cunningham Esq. It was ordered that G. B. Pattingham be admitted to practice in this Court as an Attorney and Counsellor at Law, and that he be so enrolled.

On motion of H. E. McCartney Esq. It was ordered that Chas. E. King be admitted to practice in this Court as an Attorney and Counsellor at Law and that he be so enrolled.

No 38 The Territory of Oklahoma
Ex rel [illegible] F. Stone Chairman
Republican Central Com. City of Guthrie } Application for writ of Mandamus.
vs
August E. Spengel, Mayor
of the City of Guthrie

Be it remembered that on this 30th day of March 1892 A. J. Cunningham presented the duly verified petition of the relator, praying that a peremptory writ of mandate issue to August E. Spengel, Mayor of the City of Guthrie to compel him to appoint certain persons nominated by the Chairman of the Republican Central Committee of the City of Guthrie as Judges and Clerks of the election boards in the various wards of said city, at the coming City election, to be held on April 5th 1892, and asked that the same be heard at the present sitting of the Supreme Court. Whereupon It was ordered by the Court that said cause be docketed. A. G. C. Bierer Esq. as counsel for defendant asked leave of the Court to be granted time to prepare an answer to said petition, thereupon a rule was entered against said Spengel that he show cause by tomorrow morning (March 31, 1892) at ten o'clock why said writ should not issue.

No 37 Parlin & Orendorf

vs

Elizabeth Lyons

Be it remembered on this 30th day of March 1890 this cause came on for hearing upon a stipulation, duly signed by the attorneys of record for both plaintiff and defendant and thereupon the Court, being fully advised in the premises dismisses this action with prejudice, at the cost of the defendant the Parlin & Orendorf Company, the appellant in this Court, as per the terms of said stipulation and thereof let execution issue

United States of America
Territory of Oklahoma

Be it remembered that on this 31st day of March 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie

There was present Hon E. B. Green Chief Justice and Hon John H Burford Associate Justice. John I Dille Assistant United State Attorney. Ransom Payne Deputy United State Marshal. Chas H Filson Clerk and E. P. Bates as Crier

Proclamation of the opening of said Court being made the following proceedings were had.

The following named gentlemen presented evidence of having been admitted to practice as Attorneys of Other Courts on motion.

It is ordered by the Court that they be enrolled as Attorneys and Counsellors at Law in this Court, The oath of Office being then and there administered by Hon Jno H Burford Associate Justice;

J. H. Antrobus Hennessey O. T.
B. B. Smith "
J. J. Kennedy Guthrie "
J. Leslie Dunlevy " "
Edgar W. Jones
Truman E. Miller Stillwater.

No 38 Territory of Oklahoma ex rel John I Dille Chairman Republican Central Committee of the City of Guthrie

vs

August J. Spengel Mayor of the City of Guthrie

Be it remembered that on this 31st day of March, 1892 leave was granted by the Court to Defendant in this cause to file demurrer to the petition for the Writ of Mandamus and to the jurisdiction of the Court and leave was granted said Defendant to answer thereon, and the whole question will be considered by the Court. The cause was then argued on behalf of the Relator by H. S. Cunningham Esq, and in behalf of the Defendant by A. C. G. Bierer Esq when the cause was submitted and taken under consideration by the Court.

United States of America } S.S.
Territory of Oklahoma }

Be it remembered on this First day of April 1892, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment

There was present Hon. E. B. Green Chief Justice and Hon. John H. Burford Associate Justice, John I. Stone Assistant United States Attorney, William Grimes Marshal by Vernon Payne Deputy, Chas H. Filson Clerk and E. A. Babcock Crier.

Proclamation of the opening of said Court being made the following proceedings were had.

No 38 Territory of Oklahoma Ex rel.
John I. Stone Chairman
Republican Central Committee of
The City of Guthrie
vs.
August F. Spengel Mayor
of the City of Guthrie

Be it remembered that on the first day of April 1892 this cause came on for decision. the same having been fully argued, and the Court being fully advised therein. It is therefore ordered and adjudged by Court that the application of the Relator for the Writ of Mandamus be denied. The opinion of the Court was delivered orally by Hon J. H. Burford Associate Justice, Green C. J Concurring

It was ordered by the Court that the Court stand adjourned from this date until Thursday April Seventh at three oclock P.M. and proclamation thereof was made by the Crier.

Attest
C. H. Filson Clerk

United States of America,
Territory of Oklahoma

Be it remembered that on this Seventh day of April 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment, in the City of Guthrie.

There was present Hon. E. B. Green, Chief Justice, Hon John H Burford and Hon John G. Clark Associate Justices Horace Speed United States Attorney, William Grimes Marshal Chas H Filson Clerk and E. P. Babcock Crier.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

On motion of J. H. Lawrence Esq
It is ordered by the Court,
That Henry W. Scott of Oklahoma City be enrolled as an Attorney and Counsellor at Law of this Court.

Daniel J. McDaniel Et al
Townsite Board No. 1
vs
No 24
S. H. Bradley Et al.

Be it remembered that on this 7th day of April 1892 this cause came on for argument on the call of the docket and was argued on behalf of the Appellants by Horace Speed Esq United States Attorney for the District of Oklahoma.

In re
Accounts of Chas. H Filson Clerk

The emolument returns and accounts of Chas H Filson Clerk of the Supreme Court of the Territory of Oklahoma were presented in open Court and on motion of John F. Stone Esq Assistant United States Attorney for said Territory said accounts amounting to Eighteen and 55/100 Dollars. It was ordered by the Court that the same be and hereby is approved

By order of the Court proclamation having been made by the Crier the Court adjourned until April 8, 1892

Attest
Chas H Filson Clerk

Chief Justice

United States of America
Territory of Oklahoma

Be it remembered on the 8th day of April 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie. There was present Hon. E. B. Green Chief Justice, Hon John H Burford and Hon John G. Clark Associate Justices. Horace Speed United States Attorney, William Grimes Marshal, by J. C. Robb Deputy. Chas. Filson Clerk and E. P. Osborne,

Proclamation of the opening of said Court being made the following proceedings were had.

No 27 Daniel J. McDaid et al
Townsite Board No 1
vs
J. H. Bradley et al.

Be it remembered that on this 8th day of April 1892 the argument of the cause was resumed and was argued in behalf of the Defendants by H. S. Cunningham Esq. When the cause was submitted and taken under consideration by the Court.

No 39 Samuel Crocker
vs
W. J. Donovan
Treasurer of Oklahoma County

Be it remembered on this 8th day of April 1892 this cause was presented in open Court by Counsel for appellee, and It was ordered by the Court that said Cause be placed upon the docket and that the same be set down for argument on tomorrow April 9. 1892.

No 40 John A. Blackburn
vs
The City of Oklahoma City

Be it remembered on this 8th day of April 1892 this cause was presented in open Court by Selwyn Douglas Esq, counsel for appellant whereupon it was ordered by the Court that said cause be placed upon the docket and that the same be argued at once. Leave was granted Counsel for appellee of ten days in which to file brief and abstract herein

After which the same was argued on behalf of the appellant by Selwyn Douglas and on behalf of Appellee by David Sammons Esq.

The following named gentlemen presenting evidence of their having been admitted to practice as attorneys of other Courts On motion It was ordered by the Court that they be enrolled as attorneys and Counsellors at Law of this Court The oath of Office being then and there administered by Hon John H Burford Associate Justice.

J. R. Brennan	Tecumseh
W. T. Morton	Guthrie
W. L. Barnum	
Charles V. Reddick	Oklahoma City

United States of America
Territory of Oklahoma.

Be it remembered on this ninth day of April 1892 the Supreme Court of the territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There was present Hon E B Green, Chief Justice presiding, Hon John H Burford and Hon. John G. Clark Associate Justices, Wm Grimes Marshal by J. C. Robb Deputy, Chas H Filson Clerk and E H Roberts Crier.

Proclamation of the opening of said Court being made the following proceedings were had

William H. Hammons Esq and William Lemin Esq having presented to the Court evidence of their admission to practice in the District Courts of the Territory of Oklahoma, On motion of H. C. Cunningham Esq It was ordered by the Court that they be enrolled as Attorneys and Counsellors at Law of this Court.

No 39.

Samuel Crocker
vs
M. J. Donovan Treasurer of Oklahoma County
} Appeal from Oklahoma County

Be it remembered that on this 9th day of April 1892 this cause came on for hearing and was argued in behalf of the appellant by Henry M Scott Esq and on behalf of appellee by C. A. Galbraith Esq and submitted for the consideration of the Court upon the record and briefs filed

United States of America } ss.
Territory of Oklahoma }

Be it remembered on the 20th day of June 1892 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, the same being the first day of the Annual June term of said Court.

There was present Hon E. B. Green Chief Justice presiding and Hon John H. Burford Associate Justice, William Grimes Marshal Chas. H. Filson Clerk and E. E. Babcock Crier.

Proclamation of the opening of said Court being made by the Crier, the following proceedings were had.

E. S. Jaffray & Co vs William H. Wolf & Co. } Appeal from District Court of Logan Co.

On motion of A. G. C. Bierer Esq Counsel for appellant in the above entitled cause leave was granted by the Court until tomorrow in which to file brief and abstracts.

By order of the Court proclamation thereof being made by the Crier the Court adjourned until tomorrow morning June 21, 1892 at 10 o'clock.

Attest
Chas. H. Filson
Clerk

Chief Justice

United States of America } ss.
Territory of Oklahoma }

Be it remembered on the [illegible] day of June 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie, the same being the second day of the annual June term of said Court. There was present Hon. E. B. Green Chief Justice, Hon. John H. Burford and Hon. John G. Clark Associate Justices, William Grimes Marshal, Charles H. Filson Clerk, [illegible] Babcock Crier.

Proclamation of the opening of the Court having been made by the Crier the following proceedings were had.

John McMurphy } Error from the District Court
vs } of Kingfisher County
United States of America }

Be it remembered on this 21st day of June 1892 Amos Green Esq. counsel for petitioner in error obtained leave of the Court to file and did so file a motion in this cause averring that whereas a cause is now pending before the Supreme Court of the United States towit Alexander Smith vs E. D. Townsend in which the questions involved in this cause are identical and asking that this cause be continued until the January term 1893 of the Supreme Court of said Territory

George W. Fisher } Error from District Court
vs } of Oklahoma County
United States of America }

Be it remembered on this 21st day of June 1892 Amos Green Esq. counsel for petitioner in error obtained leave of the Court to file and did so file a motion averring that whereas a cause is now pending before the Supreme Court of the United States towit Alexander Smith vs E. D. Townsend in which the questions involved are identical with this, and praying that this cause be continued until the January term 1893 of the Supreme Court of said Territory

Noah Dick } Appeal from District Court
vs } of Oklahoma County
United States of America }

Be it remembered on this 21st day of June 1892 Amos Green Esq. counsel for appellant obtained leave of the Court to file and did so file a motion averring that whereas a cause is now pending before the Supreme Court of the United States title Alexander Smith vs E. B. Townsend in which the questions involved are identical with those, and praying therein that this cause be continued until the January 1893 term of the Supreme Court of said Territory.

And now on this 21st day of June 1892 comes John Foster and suggests to the Court the death of Judge Joel Hall. Thereupon the court appointed Messrs N. Beaver, Frank Dale, J. S. Lawrence, John Foster, S. D. Decker and J. H. Cowan a committee to prepare resolutions of respect for the deceased brother. Said Committee to report at as early date as possible.

Thereupon the Court ordered proclamation thereof being made by the crier, that Court stand adjourned until June 22. 1892 at 10. oclock.

Chief Justice

Attest
Chas H Filson Clerk

United States of America } ss.
Territory of Oklahoma }

Be it remembered on this 22d day of June 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie, the same being the third day of the June term of said Court. There was present Hon E. B. Green Chief Justice, Hon John H. Burford and Hon John G. Clark Associate Justices, William Grimes Marshal, Chas. F. [illegible] and E. [illegible] Clerk.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

No 41 John M. Murphy
vs
The United States

Be it remembered on this 22d day of June 1892 the motion for a continuance in this cause heretofore filed came on for consideration upon the regular call of the docket, whereupon it was ordered by the Court that said motion be overruled.

No 42 George W. Fisher
vs
The United States

Be it remembered that on this 22d day of June 1892 the motion for a continuance in this cause heretofore filed came on for consideration upon the regular call of the docket, whereupon it was ordered by the Court that said motion be overruled.

No 43 Noah Rich
vs
The United States

Be it remembered that on this 22d day of June 1892 the motion for a continuance in this cause heretofore filed came on for consideration, whereupon it was ordered by the Court that said motion be overruled

R. Cable
vs
Trust and Ware

Be it remembered that on this 22d day of June 1892 this Cause came on for consideration upon the regular call of the docket and no briefs and abstracts being on file as required and no appearance being made by appellants upon the call of the cause. It is thereupon ordered by the Court that this cause be dismissed at the cost of appellant, for want of prosecution.

The hour after the call of the docket for motions having arrived and in pursuance to the order of the Court made yesterday the following was introduced by Judge John Foster.

June term 1892

Resolutions of Respect to the Memory of Judge Joel Holt

Whereas In the wisdom of Almighty God, to whom all on earth owe their Creation and preservation, Judge Joel Holt was on the 25th day of April, A. D. 1892 called to cease his labor upon earth and to take up his journey to "that undiscovered country from whose bourne no traveler returns". Therefore be it resolved

By the bar Association of Logan County, Oklahoma Territory, that while we bow in humble submission to the mandate of an divine Providence, whose every act we know is perfect and is the fulfillment of a destiny planned before Creation, in taking from our midst Judge Holt in the prime of life and usefulness, we cannot but feel that the sickle of death has reaped its harvest ere it was ripe, and that a golden sheaf has been garnered from us too soon.

Resolved, That in the death of Judge Holt this Court and the bar of Oklahoma has lost one of its most able counsellors and brilliant advocates and a lawyer who was always honest, honorable and faithful to his clients, as well as to his convictions of duty, the territory a true and patriotic citizen and a person who had in his heart a love for its every interest, a pride in its advancement and progress and a hope undaunted in its future greatness, his friends and neighbors a true man, who was always ready with aid and sympathy to assist the oppressed, the burdened and the weakhearted, never jealous of the fortunes of his fellow man, but proud in the success of others. his family a loving and affectionate husband and a kind and indulgent father who divided with caution and [illegible] with favors

Resolved that this expression of our esteem for the memory of Judge Holt be spread upon the Journal of the Supreme Court of Oklahoma Territory and a copy sent to the bereaved family

A. G. C. Bierer
J. L. Lawrence
S. S. Decker

Frank Dale
John Foster
J. F. Howard

H. S. [illegible]

Committee appointed by the Bar Association of Logan County

Eulogies upon the memory of the late Judge [illegible] Holt were delivered by John Foster Esq, J. L. Lawrence Esq, A. J. Bradley Esq and Hon E. B. Green Chief Justice

Sam M. Murphy
vs
The United States

Error from District Court of Oklahoma County

Be it remembered that on this 22nd day of June 1892 this cause came on for argument upon the regular call of the docket and was argued on behalf the Petitioner in error by Amos Green Esq and on behalf of the United States by Horace Speed Esq. Further consideration of the cause was deferred until tomorrow

George W. Fisher
vs
The United States

Error from District Court of Oklahoma County

Be it remembered, that on this 22nd day of June 1892 this cause came on for argument upon the regular call of the docket and was argued on behalf the Petitioner in error by Amos Green Esq and on behalf the United States by Horace Speed Esq. Further consideration of the cause was deferred until tomorrow.

Noah Rick
vs
The United States

Be it remembered that on this 22nd day of June 1892 this cause came on for consideration and argument upon the regular call of the docket and was argued on behalf of appellant by Amos Green Esq and on behalf of the United States by Horace Speed Esq

Further consideration was deferred until tomorrow

By order of the Court proclamation thereof being made by the Crier Court adjourned until June 23, 1842 at 10 o'Clock

CH Fuson
Clerk

Chief Justice

United States of America } S.S.
Territory of Oklahoma }

Be it remembered that on the 23rd day of June 1892 the Supreme Court of the Territory of Oklahoma pursuant to adjournment met in Guthrie, the same being the fourth day of the [illegible] said Court.
There was present Hon. E. B. Green Chief Justice, Hon John H. Burford and Hon Jno G. Clark Associate Justices, Horace Speed United States Attorney, William Grimes Marshal by Ransom Payne, Deputy, Chas. H. Filson Clerk and E. P. Babcock Crier.
Proclamation of the opening of the Court being made by the Crier the following proceedings were had.

Now comes J. R. Keaton Esq and moves the Court to admit Emmett Turner as an Attorney and Counsellor at Law. The said applicant presents to the Court a certificate of his admission as an Attorney and Counsellor at law from the Supreme Court of the District of Columbia and having subscribed to the oath required by law it was ordered by the Court that the said Emmett Turner be and hereby is admitted to practice in the Supreme and inferior Courts of the Territory of Oklahoma.

George W. Fisher
vs
The United States.

Be it remembered on this 23rd day of June 1892 Amos Green Esq Counsel for petitioner in error suggests a diminution of the record in this cause and that the Clerk of the District Court of Oklahoma County be directed forthwith to send up the properly certified record of this cause as it relates to the motion for a new trial filed in this cause in the District Court, whereupon said motion is allowed directing said Clerk of said District Court to supply the properly certified copy of said motion for new trial in this cause.
Thereupon the argument of this cause was resumed and closed on behalf of petitioner in error by Amos Green Esq.

John M. Murphy
vs
The United States

Be it remembered on this 23rd day of June 1892 the argument of this cause was resumed and closed on behalf of petitioner in error by Amos Green Esq.

Mark Rich
vs
No 7 The United States.

Be it remembered on this 23d day of June 1892 the argument of this Cause was resumed and closed on behalf of appellant by Amos Green Esq.

No 11. John Barnes
vs
The Territory of Oklahoma.

Be it remembered on this 23d day of June 1892 this Cause came on for hearing upon the regular call of the docket and it being made known to the Court that a pardon was granted to said Barnes by the Governor of the Territory of Oklahoma and the Court being fully advised thereon, thereupon it was ordered by the Court that said appeal be dismissed.

By order of the Court proclamation thereof being made by the Crier the Court was adjourned until July 5 1892 at 10 o'clock

Chief Justice

Attest
Chas H Filson Clerk

United States of America
Territory of Oklahoma

Be it remembered that on this 5 day of July 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie, the same being the fifth day of the present term of said Court. There was present Hon. E. B. Green Chief Justice, Hon. John H. Burford and Hon. John G. Clark associate Justices, Horace Speed Esq. United States Attorney, William Grimes United States Marshal, Chas. H. Filson Clerk thereof & [illegible] Crier. Public proclamation of the opening of said Court being made by the Crier the following proceedings were had

Now comes Horace Speed Esq. and moves the Court to admit Robert McCullough as an attorney and counsellor at Law. The said applicant presents to the Court a certificate of his admission before the District Court of Oklahoma as an attorney and counsellor at Law and having subscribed the oath required, it was ordered by the Court that said Robert McCullough be and hereby is admitted to practice in the Supreme and inferior Courts of the Territory of Oklahoma

No 32. C. P. Cuffee
vs
Trout & Kain

Appeal from the District Court
Kingfisher County

Be it remembered that on this 5th day of July 1892 the appellant in the above entitled cause presented a motion, duly verified by affidavit asking that he be allowed to refile his original bill of exceptions and to have the same reinstated upon the records of the Supreme Court. Said motion was taken under consideration by the Court.

A. B. Quintouillesigne
George W. Crane & Co
vs
T. G. Cullif

Appeal from the District Court
Kingfisher County

Be it remembered that on this 6th day of June 1892 Come now W. H. Nofsinger Esq. attorney for appellant and T. G. Cullif appellee for himself and file their stipulation and asking that this cause be continued until the January term 1893 to give appellee time to prepare briefs in said cause. Said motion was taken under consideration by the Court

Francis E. Marion Pres.
District School Board et al.
vs
The Territory of Oklahoma
Ex rel [illegible] Milton

Appeal from District Court
Logan County

Be it remembered on this 5th day of June 1892 this cause came on for hearing upon the regular call of the docket and upon motion of H. S. Cunningham Esq. Counsel for appellant the same was passed until tomorrow.

Thompson McL. Burckhart
vs
Thomas Russell.

Be it remembered that on this 5th day of June 1892 this cause came on for hearing upon the regular call of the docket and upon motion of Chas. W. Burgess Esq. Counsel for appellee the same was passed until tomorrow.

By order of the Court proclamation thereof being made by the crier the Court adjourned until June 6. 1892 at 9 o'clock

Chief Justice

Attest
[illegible] Filmore

United States of America }
Territory of Oklahoma }

Be it remembered on this 6th day of July 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie the same being the sixth day of the June term of said Court.

There was present Hon E. B. Green Chief Justice, Hon John H Burford and John G. Clark associate justices, Horace Speed United States Attorney, William Grimes Marshal, Chas H Filson Clerk and E. P. Babcock Crier.

Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

A. Capps
vs
Trout et al

Be it remembered that on this 6th day of July 1892 this cause came on hearing on the motion filed by appellant to have this cause reinstated upon the docket, thereupon it was ordered by the Court that the same be reinstated and continued until the January term 1893.

Thompson & Burckhart
vs
Thomas Russell.

Be it remembered that on this 6th day of July 1892 this cause came on for hearing pursuant to the order of the Court of yesterday, whereupon leave was obtained by Chas. A. Berger counsel for appellee for twenty days in which to file briefs and abstracts, and the cause was submitted and taken under consideration by the Court.

No 9 Morgan Brothers
vs
Sarah A. McKee. } Appeal from District Court Canadian County.

Be it remembered that on this 6th day of July 1892 this cause came on for decision the same having been heretofore argued and submitted on briefs and abstracts and the Court being fully advised therein, whereupon it was ordered and adjudged by the Court that the judgment of the District Court of Canadian County be reversed with costs, and that the cause be remanded to said District with instructions to issue a venire de novo, and [illegible] of execution issue. The opinion of the Court was delivered by Green C. J. all the Justices concurring, and will be found at large on p Opinion Book A.

No 47 Daniel J. McDaniel et al Townsite Board No
vs
Winfield S. Smith and S. H. Bradley

Appeal from District Court Logan County

Be it remembered on this 6th day of July 1892 this cause came on for decision the same having been heretofore fully argued and the Court being advised therein, whereupon whereupon it was ordered and adjudged by the Court that the judgment of the District Court of Logan County be affirmed at the cost of appellant and hereof let execution issue. The opinion of the Court was delivered by Burford J. Clark J. dissenting. The opinion of the Court will be found in full at p , Opinion Book A. To which judgment Horace Speed Esq. Counsel for appellant then and there excepted and prayed an appeal to the Supreme Court of the United States. Thereupon it was ordered by the Court that the appeal be granted and thirty days leave was granted appellants in which to prepare bill of exceptions and writ of error.

Samuel Crocker
vs
W. J. Donovan County Treasurer of Oklahoma County

Appeal from the District Court of Oklahoma County

Be it remembered that on this 6th day of July 1892 this cause came on for decision the same having heretofore been fully argued and submitted on briefs and abstracts. Thereupon it is ordered and adjudged by the Court that the judgment of the District Court of Oklahoma County be affirmed at the cost of appellant and hereof let execution issue. The opinion of the Court was delivered by Green C.J. all the Justices concurring. The opinion of the Court will be found at large in Opinion Book A. To which judgment Amos Green Esq. then and there excepted and prayed an appeal to the Supreme Court of the United States and that the amount of bond required be fixed by the Court.

No. J. H. Baker
vs
E. W. Wilson

Appeal from the District Court
Oklahoma County

Be it remembered that on this 6th day of July 1892 this cause came on for decision the same having been submitted on the record and errors assigned therein and the Court being fully advised in the premises thereupon it was ordered and adjudged by the Court that the judgment of the District Court of Oklahoma County be reversed and the above cause be remanded to said District with instructions to grant a new trial and render judgment for the Defendant based upon the agreed statement of facts and for his costs therein expended.

The opinion of the Court was delivered by Burford J. Clark J. dissenting. Green C.J. concurring.

The Opinions of the Court will be found at large in Opinion Book A. at pp.

10. A. H. Beckman
vs
Cora V. Deitz et al

Appeal from the District Court of Logan County,

Be it remembered that on this sixth day of July, 1892, this cause came on for decision, the same having been heretofore fully argued by counsel and submitted on briefs and abstracts, and the Court being fully advised in the premises, thereupon it was ordered and adjudged by the Court that the judgment of the District Court of Logan County be affirmed at the costs of the appellant herein and hereof let execution issue.

The opinion of the Court was delivered by Clark J. all the Justices concurring.

The opinion of the Court will be found at large at p. Opinion book A.

M. E. Johnson
vs
G. A. McAtee

Appeal from the District Court of Canadian County

Be it remembered that on this 6th day of July 1892 this cause came on for hearing, when upon stipulation of counsel the same was submitted upon the record and errors therein assigned and the briefs and abstracts of parties. The cause was taken by the Court

M. Rumley et al. Co.
vs
E. J. Kelley

Appeal from the District Court of Kingfisher County

Be it remembered that on this 6th day of July 1892, this cause came on for decision, the same having been submitted on the record and errors of opinion assigned and the briefs of counsel. The Court being fully advised in the premises whereupon it was ordered and adjudged by the Court that the judgment of the District Court be reversed at the cost of appellee, and hereof let execution issue.
The opinion of the Court was delivered by Clark, J. all the Justices concurring.
Said opinion of the Court will be found at large at p.   Opinion Book A.

E. A. Jaffray et al. Co.
vs
M. F. Wolf et al. Son

Appeal from the District Court of Logan County

Be it remembered that on this 6th day of July 1892 leave was granted Harper & Cunningham Esq. Counsel for appellees until August 1st 1892 in which to file briefs in this cause and appellants were granted twenty days therefrom in which to file reply. The cause was set down for argument September first 1892.

Francis E. Marion
East Guthrie School Board
vs
The Territory of Oklahoma
ex rel John Wilson

Appeal from the District Court of Logan County

Be it remembered on this 6th day of July 1892 this cause came on for hearing upon regular call of the docket whereupon upon the request of Harper & Cunningham Esq. Counsel for appellants leave was granted until August 1st 1892 in which to prepare and file briefs in this cause, and the same was set down for oral argument on September 1st 1892.

Now comes Charles J. Cunningham Esq. and moves the court to admit Dan Johnson of Guthrie as an attorney and Counsellor at Law, the said applicant exhibits to the Court a certificate of his admission to the district court of Oklahoma as an attorney and counsellor at law and having subscribed the oath required, it was ordered by the court that said Dan Johnson be and hereby is admitted to practice in the Supreme and District Courts of the Territory of Oklahoma.

In re
Including the newly organized Counties in the Territory of Oklahoma in the Second Judicial District of said Territory.

It is ordered by the Court That the Second Judicial District of the Territory of Oklahoma shall be composed of the Counties of Canadian, Kingfisher, Beaver, C. D. E. F. G. and H.

Thereupon by order of the Court proclamation thereof being made by the crier the Court adjourned until September 1st 1891 at 9 o'clock.

Chief Justice

Chas. H. Filson

United States of America }
Territory of Oklahoma. }

Be it remembered that on this First day of September 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie.

There was present Hon John H Burford and Hon John G Clark associate Justices. and Chas H Filson Clerk.

No business was transacted.

By order of the Court, proclamation thereof being duly made the Supreme Court adjourned until tomorrow September Second at ten o'clock

United States of America
Territory of Oklahoma

Be it remembered that on this second day of September 1892 The Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There was present Hon John H Burford Associate Justice presiding and Hon Jno G. Clark Associate Justice, Chas. H. Filson Clerk and William Grimes Marshal by Ransom Payne deputy.

Proclamation of the opening of the opening of the Court being made the following proceedings were had

And now comes Henry E. Asp Esq and moves the court to admit H. R. Asher, of Tecumseh as an attorney and counsellor at Law, and the said applicant presents to the court satisfactory evidence of his admission to the District Court of Oklahoma as an attorney and counsellor at Law, and having subscribed the oath required:

It is ordered by the Court that said H. R. Asher be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

By order of the Court proclamation thereof being duly made the Court adjourned until Thursday September fifteenth 1892

[illegible] Justice

Chas H Filson Clerk

United States of America }
Territory of Oklahoma } ss

Be it remembered that on this 15th day of September, 1892, the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There was present Hon E. B. Green, Chief Justice presiding, Hon John H Burford and Hon John G. Clark Associate Justices, Horace Speed Esq, United States Attorney, William Grimes Marshal by Ransom Payne deputy, Chas H Filson, Clerk, and E. P. Baber crier.

Public proclamation of the opening of said Court being made by the crier the following proceedings were had

Now comes Joseph Wisby Esq and moves the Court to admit C. G. A. Horner of Guthrie as an attorney and counsellor and said applicant presenting to the court satisfactory evidence of his admission to the District Court of Oklahoma as an attorney and counsellor at Law and having subscribed the oath required:

It is ordered by the court that said C. G. A. Horner be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

Now comes Horace Speed Esq and moves the Court to admit W. S. Fitzpatrick of Cimarron as an attorney and counsellor at Law, and said applicant presenting to the Court satisfactory evidence of his admission to the District Court as an attorney and counsellor at Law and having subscribed the oath required:

It is ordered by the court that said W. S. Fitzpatrick be and hereby is admitted to practice in the Supreme and Inferior courts of the Territory of Oklahoma.

No 46 E. A. Jiggins & Co
vs
W. F. Wolf & Son

Be it remembered that on this 15th day of September 1892 this cause came on for argument upon the regular call of the docket and at the request of the attorneys for said parties the same was passed until tomorrow.

Francis E. Marvin
vs
Territory of Oklahoma et al
John Wilson
} Appeal from the District Court
Logan County

Now on this 5th day of September 1892 this cause came on for hearing on the regular call of the docket. on request of the counsel for the parties herein the same was passed until Monday Sept. 7 1892

By order of the Court proclamation having been made by the Crier the Court adjourned until September 16 1893 at 10 oclock

Chief Justice

Chas. H. Filson
Clerk

United States of America } ss
Territory of Oklahoma }

Be it remembered that on this the 16th day of September 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There was present Hon E. B. Green, Chief Justice presiding, Hon John G. Clark and Hon John H. Burford, Associate Justices, Horace Speed Esq. United States Attorney, William Grimes Marshal by Ransom Payne deputy, Chas. H. Filson Clerk and E. P. Babcock crier.

Public proclamation of the opening of said court being made the following proceedings were had.

Now comes Edgar Jones Esq and moves the court to admit C. R. Buckner of Guthrie as an attorney and counsellor at Law. and the applicant presenting to the court satisfactory evidence of his admission to the District Court as an attorney and Counsellor of Law and having subscribed the oath required.

It is ordered by the Court that the said C. R. Buckner be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

Now comes S. D. Decker, Esq and moves the Court to admit J. D. Ward of El Reno as an attorney and counsellor at Law and the applicant presenting to the Court satisfactory evidence of his admission to the District Court as such. and having subscribed the oath required.

It is ordered by the Court that the said J D Ward be and hereby is admitted to practice in the Supreme and Inferior courts of the Territory of Oklahoma

No 53. James M. Hadley
vs
James A Ullrich

Now on this 16th day of September 1892 comes [illegible] Esq, counsel for appellee and files his motion to dismiss the appeal in this cause which motion was taken under consideration by the Court.

No 46 E. A. Jaffrey & Co }
vs
N. F. Wolf & Son }

Be it remembered that on this 16th day of September 1892 this cause came on for argument on the regular call of the docket and was argued on behalf of appellant by A. C. G. Bierer Esq and upon behalf of appellee by H. S. Cunningham, Esq and was submitted and taken under consideration by the Court.

No 50. J. W. Jordan
vs
H. J. Goldman

Be it remembered that on this 16th day of September 1892 this cause came on for hearing and upon request of H. S. Cunningham Esq the same was continued.

No 51. John H. Beatty et al
vs
Delos Walker et al

Be it remembered that on this 16th day of September 1892 this cause came on for hearing upon request of Chas P. Redden, counsel for Plaintiff in error who moved the court that this cause be taken up out of its regular order. Whereupon It was ordered by the court that this cause be docketed for hearing and that counsel prepare and file their briefs when the same would be taken and the cause considered.

Alexander Marmand et al
James L Wyatt
vs
The United States.

Be it remembered that on this 16th day of September, 1889 this cause came on for hearing and it was argued on behalf of the appellants by A. L. Decker Esq and submitted and taken under consideration by the court.

No 52.

H. A. Burnham
vs
The Walter A. Wood
Mower and Reaper Co } Appeal from Probate Court of Canadian County

Be it remembered that on this 16th day of September 1892 upon the regular call of the docket It was ordered by the Court that this cause be continued until the January term 1893.

Thereupon by order of the Court proclamation thereof being made by the Crier the Court adjourned until September 17, 1892 at 10 oclock

Chief Justice

Chas. T. Evans
Clerk

United States of America } ss.
Territory of Oklahoma }

Be it remembered that on this the 17th day of September 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There was present Hon. E. B. Green Chief Justice Hon John H Burford and Hon John G. Clark Associate Justices, William Grimes Marshal, Chas. H Filson Clerk and E. J. Babcock Crier.
Public proclamation of the opening of the Court being made the following proceedings were had:

James W. Hadley
vs
John H Ulrich

Be it remembered that on this the 17th day of September 1892 this cause came on for decision upon the motion of appellee herein to dismiss the appeal of appellant, whereupon the Court being fully advised in the premises ordered that the said motion be sustained and the appeal of the appellant is dismissed at the cost of said appellant.

S. F. Robinson
vs
The Peru Plow & Wheel Co.

George W. Fisher } Petition in Error from
vs } District Court, Oklahoma County,
The United States. }

And now, on this seventeenth day of September, in the year of our Lord, one thousand eight hundred and ninety two, being one of the judicial days of the June term of this court, and this cause having been argued and submitted on the record and errors assigned, and the court being fully advised in the premises, on consideration thereof, doth find, that in the record and proceedings of the District Court, and the judgment therein contained, there is not any error in manner and form as alleged in said assignment of errors.

It is, therefore, considered by the Court, that the judgment of the District Court be, and the same is in all things affirmed; and that said judgment be carried into execution by the said District Court and that the plaintiff in error herein pay the costs of this court, to be taxed by the Clerk, and that execution issue.

The opinion of the court was delivered by Hon John H Burford Associate Justice. The other Justices concurring.

The City of Guthrie } Appeal from the District Court
vs. } Logan County,
Marquis D. Lacey. }

And now, on this seventh day of September in the year of our Lord, one thousand eight hundred and ninety two, being one of the judicial days of the June term of this court and this cause having been argued and submitted on the record and errors assigned, and the court being fully advised in the premises, on consideration thereof doth find that in the record and proceedings of the District Court and the judgment therein contained that there is not any error in manner and form as alleged in said assignment of errors.

It is, therefore, considered by the court that the judgment of the District be and the same is, in all things affirmed; and that said judgment be carried into execution by the District Court and that the appellant herein pay the costs of this court, to be taxed by the Clerk.

The opinion of the Court was delivered by Hon John H Burford, Associate Justice. The other Justices concurring.

Francis E. Marion
President Guthrie School Board
et al.
vs
The Territory of Oklahoma
ex rel. John Wilson

Appeal from the
District Court of
Logan County

Now on this 17th day of September 1892 this cause comes on for hearing, and was argued on behalf of the appellant by A. J. Cunningham Esq. and in behalf of the relator by Charles Brush Esq. and thereafter was submitted upon the briefs and abstracts and taken under consideration by the Court.

By order of the Court, proclamation thereof being publicly made by the Crier the Court adjourned until November 5, 1892 at half past four P.M.

Chief Justice

C. H. Filson Clerk

United States of America
Territory of Oklahoma,

Be it remembered that on this fifth day of November, 1892 the hour of four thirty P.M. having arrived to which the Supreme Court of the Territory of Oklahoma adjourned by its order of September 17, 1892 thereupon Chas. H. Filson Clerk of said Court by the order of Hon. E. B. Green Chief Justice, adjourned said Court until Monday November Seventh 1892. Public proclamation being made thereof by said Clerk.

Chas. H. Filson
Clerk

United States of America
Territory of Oklahoma
ss. Be it remembered that on this seventh day of November 1892 the hour of four of 4.30 P.M. having arrived to which the Supreme Court adjourned by the order of November 5th 1892, thereupon Chas. H. Filson Clerk of said Court upon the order of Hon John G. Clark Associate Justice adjourned said Court until November 9th 1892

Chas. H. Filson
Clerk

United States of America,
Territory of Oklahoma.

Be it remembered, that on the 9th day of November 1892 the hour of four o'clock and thirty minutes P.M. having arrived to which the Supreme Court of the Territory of Oklahoma adjourned by its order of November 7th 1892, thereupon, Chas H Filson Clerk of said Court, by order of Hon John H Burford, Associate Justice adjourned said Court until December 2nd 1892.

Proclamation thereof being made by the said Clerk

Attest
Chas H Filson
Clerk

United States of America
Territory of Oklahoma

June term 1892

Be it remembered that on this the second day December 1892 the Supreme Court of the Territory of Oklahoma met pursuant to the adjournment order of November 5th 1892, in the City of Guthrie.

There was present Hon. E. B. Green, Chief Justice. Hon John G. Clark Associate Justice and Chas. H. Filson Clerk.

Proclamation of the opening of said Court being made by the Clerk the following proceedings were had.

Now comes Horace Speed Esq and moves the Court to admit John W. Shartel of Guthrie as an attorney and Counsellor at Law, and the applicant presenting to the court satisfactory evidence of his admission to the District Court as an attorney and Counsellor of Law, and having subscribed the oath required.

It is ordered by the court that the said John H. Shartel be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

Adjourned until December 2. 1892.

Chief Justice

Attest
C H Filson Clerk

United States of America
Territory of Oklahoma.

June term 1892.

Be it remembered, that on this the third day of December 1892 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There was present Hon E B Green Chief Justice Hon John G. Clark associate Justice and Chas. H Filson, Clerk.

Public proclamation of the opening of said Court being made by the Clerk the following proceedings were had

Now comes John W. Scothorn Esq and moves the Court to admit Cassius M. Barnes, of Guthrie as an attorney and counsellor of Law, and the applicant presenting to the court satisfactory evidence of his admission to the District Court as an attorney and Counsellor of Law and having subscribed the oath required.

It is ordered by the Court that the said Cassius M. Barnes be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

George W. Fisher
vs
The United States } ~~Appeal~~ Error from District Court of Oklahoma County.

Now on this 3rd day of December 1892 Comes Amos Green Esq. Counsel for petitioner in error and files his motion to continue the Supersedeas heretofore granted in this cause and asks leave in which to file additional brief in support of the petition for rehearing.

The motion to continue supersedeas was taken under consideration by the court and leave to file additional briefs granted.

City of Guthrie
vs
M. D. Tracy

Now on this third day of December 1893 Leave was granted by the Court to appellant herein of fifteen days within which to file briefs in support of the petition for rehearing and appellee was granted ten days thereafter to file reply

John H. Ulrich
vs
James M. Hadley

Be it remembered that on this 3rd day of December 1892 Leave was granted appellant of fifteen days from this date within which to file briefs in support of his petition for rehearing in this cause

Adjourned until December 2. 1893 at 3 o'clock

Attest
M. A. Franklin

[illegible]

United States of America
Territory of Oklahoma.

June term 1892.

Be it remembered that on this twelfth day of December 1892 the Supreme Court of the Territory of Oklahoma met, pursuant to adjournment in the City of Guthrie. There was present Hon. E. B. Green Chief Justice. Hon John G. Clark Associate Justice and Chas. H. Filson Clerk.

Proclamation of the opening of said Court being made by the Clerk the following proceedings were had.

In re.
Fixing the date of holding a term
of the District Court in Pottawatomie
(formerly B) County.

It is ordered by the Court.

That a term of said District Court shall be held in Pottawatomie County, at Tecumseh, commencing on the twenty ninth day of December A.D. 1892 at ten o'clock A.M. and all writs, processes and recognizances heretofore made returnable at the term to be holden December 13th 1892 are hereby made returnable at the date fixed by this order.

Thereupon by order of the Court proclamation thereof being made by the Clerk. The Supreme Court adjourned Sine die

Chief Justice

Attest.
Chas. H. Filson
Clerk

United States of America
Territory of Oklahoma

January term. 1893.

Be it remembered that on this third day of January A.D. 1893. the Supreme Court of the Territory met in regular session in the City of Guthrie. the same being the first day of the January term of said Court. There was present Hon. E. B. Green, Chief Justice Hon John H. Burford and Hon John G. Clark Associate Justices. Horace Speed United States Attorney. William Grimes Marshal by Clarke deputy. Chas. H. Filson, Clerk of said Court. Public proclamation of the opening of said Court being made by the Crier, the following proceedings were had.

Now comes Chas. R. Reddick Esq. and moves the Court to admit S. A. D. Eaton of Norman as an Attorney and Counsellor of Law; and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of said Territory and having subscribed the oath required.

It is ordered by the Court that the said S. A. D. Eaton be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

In re
Allowing and approving the accounts of Will H Clark
Clerk District Court for the
Third District.

Whereas, Will H. Clark, Clerk of the District Court for the Third Judicial District of Oklahoma, residing at Oklahoma City, O.T. has presented to this Court an account of his fees as Clerk from the first day of July 1892 to the 31st day of December 1892 inclusive, and in the presence of the United States Attorney in and for said Territory has proven on oath to the satisfaction of the Court that said District Court was open and business actually transacted as represented in said account, and that the services therein charged for have been actually and necessarily performed as therein stated and the same appearing reasonable and according to law:

It is therefore ordered that said account amounting to the sum of 1,249.00 be and the same is hereby approved

Dated this third day of January A.D. 1893

John H. Burford
John G. Clark
Associate Justices

Thereupon. By order of the Court proclamation thereof being made by the Crier, the Court adjourned until January fourth 1893 at ten o'clock A.M.

Chief Justice

Attest Chas. H. Filson
Clerk

United States of America
Territory of Oklahoma.

January term 1893.

Be it remembered that on this fourth day of January AD 1893 the Supreme Court of the Territory of Oklahoma, met pursuant to adjournment in the City of Guthrie, being the second day of the January term of said Court

There were present Hon John H Burford Associate Justice, presiding and Hon John G Clark Associate Justice, Horace Speed Esq United States Attorney William Grimes Marshal by Warren Clarke Deputy Chas H Filson Clerk.

Public proclamation of the opening of said Court being made by the Crier the following proceedings were had.

No 41 John M. Murphy vs The United States of America } Appeal from the District Court of Oklahoma Co.

And now on this 4th day of January AD 1893 Comes Horace Speed Esq United States Attorney for the Territory of Oklahoma and suggests to the Court the death of the appellant herein, thereupon it was ordered by the Court that this Cause be and hereby is dismissed.

No 55 Curt W. Blackburn vs The United States } Appeal from the District Court of Oklahoma ~~Logan~~ County

And now Comes Horace Speed Esq United States Attorney for the Territory of Oklahoma and files his motion to dismiss the appeal in this cause which is sustained by the Court.

No 53 James H. Hadley vs John H. Ullrich } Appeal from the District Court of Canadian County in petition for rehearing

And now Comes C. S. Smedley Esq Counsel for appellant and asks leave of the Court to withdraw the demurrer to the petition for rehearing filed in this cause and asking leave to file briefs in opposition to the rehearing prayed for by appellee which was granted by the Court.

No. 32 P. Peske } Appeal from the
vs } District Court of
E. Z. Treat et al } Kingfisher County
[illegible] }

And now comes W. W. Noffsinger Esq Counsel for appellees and files his motion to dismiss the appeal in this cause, which was taken under consideration by the Court.

Thereupon By order of the Court, Proclamation thereof being made by the Crier Court

No. 62 [illegible] C. Smith et al } Appeal from the
vs } District Court of
The Bank of Kingfisher } Kingfisher Co.

And now comes W. W. Noffsinger Esq Counsel for appellee herein and asks leave of the Court to file his motion to strike out from the files the bill of exceptions in this cause. Leave was granted by the Court to file said motion which was taken under consideration.

No. 7 George W. Fisher } Error to the District Court
vs } of Oklahoma County
The United States }

Be it remembered that on this 4th day of January 1893 this cause came on for decision upon the motion of Plaintiff in Error herein to continue the supersedeas. Thereupon it was ordered by the Court that said motion be overruled.

Thereafter, by order of the Court, proclamation being made by the Crier the Court adjourned until January 6, A.D. 1893 at ten o'clock a.m.

Chief Justice

Attest
Chas H. Filson Clerk

United States of America
Territory of Oklahoma
Supreme Court January term 1893

Be it remembered on the 5th day of January A.D. 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie in said Territory, being the fourth day of the January term of said Court.

There was present Hon [illegible] Burford Associate Justice presiding, Hon John G. Clark Associate Justice, Horace Speed Esq United States Attorney, William Grimes Marshal by [illegible] Deputy, and Chas. H. Filson clerk.

Proclamation of the opening of said Court being made by the Crier the following proceedings were had.

No. 32. C. R. Rapp vs. Frank H. Nance } Appeal from the District Court of Kingfisher County

Now on this 5th day of January 1893 the cause came on for decision upon the motion filed [by] appellee to dismiss the appeal. Whereupon it was ordered by the Court that said motion be sustained and the appeal was dismissed.

No 27 City of Guthrie vs. M. L. Ross } Petition for rehearing

Now on this 6th day of January 1892 came H. A. Cunningham Esq counsel for appellees herein and waives his right to file briefs in this cause and submits this cause on the brief of appellants. Said cause was taken under consideration by the Court.

No 57 Charles H. Carson and B. F. Miller vs. Jas. L. Pearson } Appeal from the District Court of Oklahoma County

Now on this 6th day of January 1893 it was ordered by the Court that this cause be continued to the June term 1893 upon the agreement of the parties to this suit.

No 54 Walter L. Finch vs The United States } Appeal from the District Court of Logan County

Now on this 5th day of January 1893 this cause came on for hearing upon the regular call of the docket and was argued on behalf of appellant by H. R. Johnston Esq. and on behalf of the United States by Horace Speed Esq United States Attorney, and submitted to the consideration of the Court upon the record and briefs filed.

No 48 H. B. Quinlan Assignee of George H. Crane & Co vs T. G. Curtis } Appeal from the District Court of Kingfisher County

Now on this 5th day of January 1893 this cause came on for hearing upon the call of the docket and was submitted on the briefs and abstracts and the record and errors assigned therein and was taken under consideration by the Court

And now comes A. G. C. Bierer Esq. and moves the Court to admit George W. Gardner Esq of Guthrie as an attorney and counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of said Territory and having subscribed the oath required.

It is ordered by the Court that the said George W. Gardner be and hereby is admitted to practice in the Supreme and Inferior Courts of said Territory.

United States of America
Territory of Oklahoma
In the Supreme Court January term 1893.

Be it remembered that on this the sixth day of January 1893 the Supreme Court of the Territory met in the City of Guthrie, the same being the fourth day of the January term of said Court. There was present Hon. E. B. Green, Chief Justice, Hon. John H. Burford and Hon. John G. Clark Associate Justices, Horace Speed Esq. United States Attorney, William Grimes Marshall by Warren Cleaver deputy, and Chas H. Filson Clerk.

Public proclamation of the opening of the session of the Court being made by the Marshal the following proceedings were had.

No 55 Curt H. Blackburn vs The United States. } Appeal from the District Court of Oklahoma County.

Now on this 6th day of January A.D. 1893 this cause comes on for decision upon the motion of the United States Attorney to dismiss the appeal in this cause. Thereupon it was adjudged and ordered by the court that said appeal be dismissed.

No [illegible] John H. Blackburn vs The City of Oklahoma City } Appeal from the Probate Court of Oklahoma County.

Now on this 6th day of January 1893 this cause came on for decision, the same having been argued and submitted on the record and errors assigned and the Court being fully advised in the premises, it is therefore adjudged and ordered by the Court that the judgment of the Probate Court of Oklahoma County be reversed and the cause be remanded for further proceedings as indicated in the opinion of the Court, and that the appellant herein recover his costs expended taxed at ~~and~~ [illegible] The opinion of the Court was delivered by Burford J., Green C.J. and Clark J. Concurring, which opinion will be found at large in Opinion Book A. At page

No 21 John [illegible],
Appellant
vs
The Territory of Oklahoma
Appellee

Appeal from the
District Court of
Oklahoma County

Now on this 5th day of January A.D. 1893 comes Charles Brown, Esq. Attorney General for the Territory of Oklahoma and makes suggestion to the Court of the granting of a pardon by the Governor of the Territory of Oklahoma to the appellant in this cause. Thereupon it was ordered by the court that the appeal in this cause be dismissed.

No 50 J. H. Jordan
Appellant
vs
A. J. Goldman
Appellee

Appeal from the
District Court of
Logan County

Now on this 6th day of January A.D. 1893 this cause came on for hearing upon the regular call of the docket — the same having been continued from the June term 1892 and the appellant not appearing it was ordered by the Court that said appeal herein be dismissed for want of prosecution.

No 52
[illegible] Farnham
Appellant
vs
The [illegible]
Mutual [illegible] Company
Appellee

Appeal from the
Probate Court of
Canadian County

Now upon this 6th day of January A.D. 1893, upon the stipulation of Counsel for parties herein it was ordered by the Court that this cause be continued until the June term 1893.

No 56

Appellant
vs

Appellee

Now on this 6th day of January A.D.

1893 upon agreement of the parties herein the cause being submitted upon the briefs and abstracts and the record which was taken under consideration by the Court.

No 60 Charles F. Colcord
Appellant
vs
A. H. Dreyfus et al
Appellees

} Appeal from the Probate Court of Oklahoma County

And now on this 6th day of January A.D. 1893 Leave was granted appellees until the 16th day of January 1893 to file briefs and abstracts in this cause, and it was further agreed by counsel for the parties that the cause would be submitted for the consideration of the Court upon the record and briefs.

No 51 John A. Beatty et al
Appellants
vs
Delos Walker et al
Appellees

} Appeal from the District Court of Oklahoma County

Now on this the 6th day of January A.D. 1893. Leave was granted C. F. Reddick Esq. Counsel for appellants to argue said cause orally. Counsel for appellee waiving the privilege of making oral argument. Thereupon said cause was argued on behalf of appellants by C. F. Reddick Esq and submitted on briefs and abstracts filed.

United States of America
Territory of Oklahoma

Be it remembered that on this 6th day of January A.D. 1893 the Supreme Court of the Territory of Oklahoma, met pursuant to adjournment in the city of Guthrie, this same being one of the judicial days of the January term of said Court.

There were present Hon. E. B. Green Chief Justice Hon. John G. Clark, and Hon. John H. Burford Associate Justices and Charles H. Helm Clerk and E. J. Petersen Crier.

Public proclamation of the opening of said Court being made the following proceedings were had.

United States of America
Territory of Oklahoma
In the Supreme Court January term. 1893

Be it remembered on this 3rd day of January A.D. 1893 the Supreme Court of the Territory of Oklahoma met in the city of Guthrie, pursuant to adjournment.

There was present Hon. E. B. Green, Chief Justice, Hon John H. Burford and Hon John G. Clark, Associate Justices. Chas. H. Filson Clerk and E. J. Robinson Crier.

Public proclamation of the opening of said Court being made by the Crier the following proceedings were had:

And now comes C. A. Travis Esq. and moves the court to admit Talcott Ormsbee of Beaver, Oklahoma as an attorney and counsellor of law, and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Court of said Territory and having subscribed the oath required

It is ordered by the court that the said Talcott Ormsbee be and hereby is admitted to practice in the Supreme and Inferior Courts of said Territory.

No 20. Charles Fidler } Appeal from the District Court of
vs } Canadian County.
George F. Brown, et al }

And now on this 10th day of January A.D. 1893, being one of the judicial days of the pending term of this court, and this cause having been submitted on the record and errors assigned and the court being fully advised in the premises on consideration thereof, doth find that in the record and proceedings of the District Court, and the judgment therein contained, that there is not any error in manner and form as alleged in said assignment of errors.

It is therefore considered by the Court that the judgment of the District Court be and the same is in all things affirmed and that the appellant herein pay the costs of this court to be taxed by the clerk.

The opinion of the court was delivered by Hon. John G. Clark, Associate Justice, the other Justices concurring and will be found at large at page Opinion Book 1.

No. 51 John A. Wallis et al
Appellants
vs
Delos Walker et al
Appellees

Appeal from the
District Court of
Oklahoma County

And now on this 17th day of January A.D. 1893, being one of the judicial days of this Court and this cause having been argued and submitted on the record and errors assigned and the court being fully advised in the premises on consideration thereof doth find that in the record and proceedings of the District Court of Oklahoma County and the judgment therein contained that there is not any error in manner and form as alleged in said assignment of error.

It is therefore ordered by the court that the judgment of the District Court of Oklahoma be and the same is in all things affirm and that the appellants herein pay the costs of this court to be taxed by the Clerk.

The opinion of the court was delivered by Hon John H Burford Associate Justice. The other justices concurring, and will be found at large in page Opinion Book A.

No 113 James Thompson and
Edward Burkhart
vs
Thomas Russell

Appeal from the
District Court of
Canadian County

And now on this 17th day of January A.D. 1893 this cause came on for decision. The same being one of the judicial days of the January term of said court, the cause having been submitted on the record and errors assigned therein and upon briefs and abstracts and the court being fully advised in the premises. It is therefore adjudged and ordered by the court that the judgment of the District Court of Canadian County be reversed and said cause be remanded and a new trial granted and that the appellants recover their costs herein expended.

The opinion of the court was delivered by Hon John H Burford Associate Justice. The other Justices concurring and will be found at large at page Opinion Book A

No 57 Charles A. Brown &c
J. A. Miller
vs
Jas. L. [illegible]

And now comes [illegible] Esq. counsel for appellee and files his motion to vacate the order of continuance heretofore made in this cause. 1

No 55 Curt H. Blackburn
vs
The United States

And now comes C. H. Graves Esq. and presents his petition asking that the order of dismissal in this cause be vacated and asking further that the cause be reinstated. Which was taken by the Court.

No 59 [illegible] McFarland.
vs
Frances R. McKinnon.

And now comes [illegible] Esq. and suggests to the Court the death of F. R. McKinnon appellee herein.

No W. S. Rice et al.
Appellants } Appeal from
J. B. West } Canadian County.
Appellee.

And now comes C. H. Carswell Esq. counsel for appellants herein and presents his motion asking leave for an extension of time for ten days in which to prepare and file briefs. which was granted by the Court

No 61 C. C. Smith et al
vs
The Bank of Kingfisher }

And now comes H. H. [illegible] Esq. counsel for appellee and asks leave of the Court to file motion to dismiss the appeal in this cause which was granted.

In re
approving the accounts of
Chas. H. Filson Clerk
of this Court.

The emolument returns and accounts of Chas. H. Filson Clerk of this Court were presented in open Court and on motion of Jno. F. Stone Esq. Asst United States Attorney for said Territory said accounts amounting to Eighty six and 60/100 Dollars. Thereupon it was ordered by the Court that said accounts be and the same is hereby approved.

No 64. Town of Stillwater
Appellant
vs
John Moor.
Appellee

Appeal from the
District Court of
Payne County

And now on this 17th day of January A.D. 1893 It was ordered by the Court that said cause be continued to the June term 1893

No 32. F. Capps
Appellant
vs
E. L. Trout and
M. J. Kain.

And now on this 17th day of January 1893 this cause came on for decision upon the motion of appellant, to vacate the order dismissing the appeal herein whereupon it was ordered by the court that the petition to re-instate said cause be denied

No 60. Chas. F. Wilcord
Appellant
vs
[illegible] et al.
Appellee

And now on this 17th day of January A.D. 1893 this cause came on for decision upon the motion to dismiss the appeal herein, Thereupon it was ordered by the court that said motion be overruled

No 62 Prior F. Smith et al
Appellants
vs
The Bank of Kingfisher
Appellees

And now on this 7th day of January 1893 this cause came on for decision upon the motion of appellee to strike out the bill of exceptions, which motion was sustained by the court, and the motion to dismiss the appeal herein was overruled by the court

No 57 Charles A. Pearson Gdn
B. N. Miller
Appellants
vs
Chas. L. Pearson
Appellees

And now on this 7th day of January A.D. 1893 this cause came on for decision upon the motion by appellee herein to vacate the order continuing this cause. Thereupon it was ordered by the court that said order be vacated

No George Smith
Appellant
vs
John F. Berry
Appellee
} Appeal from the Probate Court of Cleveland County.

And now comes [illegible] Esq. counsel for appellee and files his motion asking that the cause be continued until the June term 1893 which was overruled by the court. Thereupon it was ordered that time be extended ten days in which to allow counsel to prepare and file his briefs in this cause

No 58 Robert Y. Chandler
Appellant
vs
Charles F. Colcord
Appellee

And now on this 7th day of January 1893 this cause came on for decision upon the motion by appellee to dismiss the appeal herein, which said motion was by the court overruled

No 47 George A. Fisher
vs
The United States } Petition for rehearing

And now on this, 17th day of January A.D 1893 being one of the judicial days of the January term of this court this cause came on for decision upon the petition of said Fisher for a rehearing. Thereupon it was ordered by the Court that said petition be denied and that the prisoner be remanded to the custody of the Marshal of the Territory of Oklahoma and that the sentence and judgment of the District Court of Oklahoma County be carried into execution.

City of Guthrie,
Appellants
vs
M. D. Losey
Appellee } Petition for rehearing

And now on this 17th day of January A.D. 1893 this cause came on for decision upon the motion of appellants herein for rehearing. The petition having been filed and submitted on the briefs filed. Thereupon it was ordered by the court that said petition be denied and that the judgment of the District Court of Logan Court of Logan county be carried into execution.

And now comes John F. Stone Esq and moves the court to admit A. Hutchin of Lexington Oklahoma Territory as an attorney and counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Court of said Territory and having subscribed the oath required.

It is ordered by the Court that the said A. Hutchin be and hereby is admitted to practice in the Supreme and Inferior courts of said Territory.

And now comes J. C. Burdock and moves the Court to admit Melancthon C. Hart Esq. of Grand Oklahoma Territory as an attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of said Territory and having subscribed the oath required.

It is ordered by the Court that said Melancthon C. Hart be and hereby is admitted to practice in the Supreme and District Courts of said Territory.

Thereupon by order of the Court proclamation thereof being made by the Clerk Court adj.

[illegible] the [illegible] of the [illegible] and of Whitinger Society [illegible] that was [illegible] to the [illegible] Brother [illegible], who departed this life the [illegible] day of [illegible] 18[illegible].

[illegible] was one of the first [illegible] admitted to the [illegible] of this [illegible] when [illegible] and at [illegible] the [illegible] member of this [illegible] care and attention to his duties as a practitioner [illegible] was good to the pleasure of [illegible]. The [illegible] was [illegible]. The [illegible] was [illegible].

[illegible] and [illegible]. But death, [illegible] and [illegible] the [illegible] of Brother [illegible]. [illegible] we indeed feel that we have lost a friend, [illegible] of our [illegible], a warm companion [illegible] and most [illegible].

[illegible] of our [illegible] and respect to our [illegible].

[illegible] shall be [illegible] the family of [illegible].

[illegible]

[illegible]

[illegible] of the [illegible]:

[illegible]:

[illegible] of what have been [illegible] the face of this [illegible], when [illegible] question: [illegible] the [illegible] and life [illegible] and other [illegible] study of the [illegible] of nature, [illegible] all the [illegible], and that is [illegible] for that [illegible] by neither [illegible], but only logical and [illegible]; the [illegible] of [illegible] and the [illegible] to the [illegible] of "Christian [illegible]" which [illegible] of our [illegible] that notwithstanding a very [illegible]

[illegible] and I may be truly said [illegible] [illegible] — [illegible].

[illegible] to go with the [illegible] — the [illegible] we found [illegible] the [illegible].

[illegible] filling [illegible] George [illegible], [illegible] and in the time. [illegible] the mothsland with [illegible].

[illegible] of him and pretty [illegible] with the [illegible] and [illegible] and said:

"[illegible]."

[illegible] and said:

"[illegible] — I could have been [illegible] most [illegible]."

[illegible] as a child.

[illegible] mighty [illegible], which [illegible]?

[illegible]?

[illegible]?

[illegible] that with [illegible] — and [illegible] our wavering faith — to revive our sinking hopes.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] among the [illegible] of the [illegible] [illegible] [illegible] [illegible] the [illegible] of [illegible], and in the [illegible] [illegible]

[illegible]

[illegible]

Resolved, That we, as members of the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

Resolved, That a copy of these resolutions be given to the [illegible] for publication; that [illegible] [illegible] the family of the deceased, and that [illegible] [illegible] [illegible] [illegible] the district court of Logan county and the [illegible] court of Washington county.

[illegible]

[illegible] following [illegible]

[illegible] Washington [illegible] [illegible] the [illegible] of the deceased [illegible]

[illegible] the [illegible] in the [illegible] of the [illegible] of the [illegible] member of the [illegible] [illegible] [illegible] of the community [illegible]

[illegible]

[illegible] of justice [illegible] domestic [illegible]

[illegible] among the friends [illegible] influence for good. He [illegible] And cares to [illegible]

[illegible]

[illegible] universe. [illegible] into illusion. [illegible] We live and [illegible] exercise but little [illegible] we have no [illegible] existence.

In this world [illegible] instead [illegible] the influences [illegible]

[illegible] existence [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] of the advantages of [illegible] [illegible]

[illegible] a family of eight children with a small estate, [illegible] in debt.

[illegible] came to this country at an early day [illegible] and was a physician of most enviable reputation in his community. [illegible] hospitably entertained the stranger and friend alike; so free and generous was his giving to all, that his habitual [illegible] was [illegible] that he was unable to accumulate much of this world's goods.

[illegible]

[illegible] in all his [illegible], [illegible] every [illegible] [illegible].

[illegible] very [illegible] mother. [illegible] with success. He showed [illegible] through [illegible] them [illegible] what [illegible] he had to endure in not being able to [illegible] with them.

[illegible] he had [illegible] from them, [illegible] and [illegible] [illegible] of the [illegible] with those little [illegible] of these [illegible], the [illegible] the little ones had learned to weep [illegible] this time, [illegible] the sad [illegible] thoughts that passed through that crowd, uttered by silence [illegible]! [illegible] then. The [illegible] language [illegible] of [illegible] [illegible] words.

The sad tribute that day paid by [illegible] to the [illegible] and the [illegible] will long remain fresh in my memory. [illegible]

[illegible] the [illegible] the [illegible]:

"There is no such thing as death,
In nature nothing dies;
From each sad remnant of decay
Some forms of life arise;
The little leaf that falls
All brown and sear to earth
Ere long will mingle with the buds
That gave the flower its birth."

The [illegible] must take up the task where our friend has left off, and [illegible] that his labor will not be lost. [illegible] has [illegible] so suddenly [illegible], we can not feel the shock, but he has gone beyond the [illegible], to assume a more important, and a nobler work. His life here [illegible] for [illegible] and more [illegible].

[illegible] all things [illegible] to [illegible] work [illegible].

[illegible] C. H. Brown.

[illegible]

[illegible] of the [illegible]

[illegible] the [illegible] of all [illegible]. The [illegible] of a [illegible] — [illegible] our hearts seem to have forgotten to beat, and we stand [illegible], helpless.

[illegible] that [illegible] when the [illegible] of the [illegible] announced to us that our brother [illegible] Brown would [illegible] no more.

[illegible] his [illegible] had [illegible] in this court [illegible] the [illegible] of that [illegible] of justice [illegible] taken [illegible].

What [illegible] this, my brother, [illegible] to [illegible] a [illegible]? [illegible] they will tell you he was the [illegible] us [illegible] distress. [illegible] ask the [illegible], and they will tell you, he was the man who [illegible] us [illegible] little [illegible]. [illegible] ask the [illegible] of [illegible] of the [illegible], and they [illegible] to the [illegible].

[illegible] ask the citizens, and they will tell you, [illegible] the [illegible] of [illegible] troubles, and [illegible] us until the [illegible] and [illegible] to [illegible].

[illegible] brother, [illegible] of a man who has the [illegible] [illegible]

[illegible] for the [illegible] [illegible]

[illegible] [illegible] [illegible]

A man [illegible] in the relations of son, husband and father, and a [illegible] all [illegible]

[illegible] kindly [illegible] [illegible]

[illegible] of the many that came under my observation during the time I was acquainted with him [illegible] all [illegible] in abundance, [illegible] with the [illegible] [illegible] fifty dollars. [illegible] before the [illegible] that day [illegible] the money [illegible] about. She was [illegible] [illegible] "Don't cry, mother, you shall not lose your little home. I will [illegible] about the money for you!" [illegible] he did, and that home was saved.

Oh [illegible] [illegible] [illegible]

What [illegible] [illegible] in the [illegible] of a [illegible] this [illegible]

[illegible] of [illegible]

[illegible] [illegible]

[illegible] [illegible] integrity — [illegible] hands the utmost vigilance in guarding the portals of the bar. [illegible] [illegible] required to [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] learned it by years of [illegible] [illegible] in [illegible] the sublime [illegible] of the [illegible] [illegible] [illegible] [illegible] any subject in [illegible]. Except it be such a course of study and training has first made them lawyers. And [illegible] [illegible] [illegible] [illegible] in [illegible] [illegible].

Also in addition to these mental qualifications, shall be ascertained that he who seeks admission here, is a man of good moral character, in the strictest sense of the term. An honest man— "not as the world goes"— but so honest that the highest interests of clients may be entrusted to him with perfect safety. [illegible] [illegible] [illegible] [illegible] [illegible] with him into the court room, [illegible] [illegible] [illegible] it with him.

Let us require strict proof of all these things before we admit any man to our membership. And when any man ceases to possess any of the requisite qualifications, let us unhesitatingly expel him. He is unworthy of the high office as attorney and counsellor. No man should be admitted here because he seems to be a clever [illegible], nor should a [illegible] [illegible] certificate be taken as proof that [illegible] [illegible] [illegible] [illegible] [illegible], is still worthy, for we all know that there are instances where men have been admitted to the bar upon certificates long since revoked by the very courts from whence they emanated.

In view of the assassination of our brother [illegible], [illegible] [illegible] feeling [illegible] [illegible] suggestion, [illegible] [illegible] for this [illegible] of vigilance [illegible] the bar and bench and [illegible] alike, this tragedy could not have been possible.

Let us then take warning, and close up the avenues that [illegible] and [illegible] [illegible].

[illegible] [illegible] [illegible] [illegible] [illegible] will become the refuge of the [illegible] and dishonest members of our profession, the world over.

Another reflection suggested by this melancholy tragedy, is that the assassin claims that the act was done in vindicating his honor. Honor is a quality every true lawyer must have. He must possess it as a man before he can enter the profession.

That honor, however, is of the kind that is synonymous with uprightness, justness, fairly [illegible] good name. Was it in vindication of any of these that the fatal shot was fired? No, no! The shot was fired in vindication of that false sense of honor, which is much better [illegible] by the words malice, hate and brutal revenge. In other words, a man cannot vindicate a quality he does not possess. [illegible] [illegible] words, it should be an insult to address any man [illegible] [illegible] by his own [illegible].

Our lamented brothers Geiger, [illegible] and [illegible], whose memory we all revere and cherish, after fulfilling their several and respective missions here on earth, with honor to themselves and

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] and [illegible] [illegible] wicked, into the [illegible].

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of this bar!

Brethren! [illegible] [illegible] [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] which can [illegible] them to [illegible] [illegible] [illegible] [illegible] [illegible], [illegible] you [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]?

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the law of God, requires that life shall answer for life.

Yes, brethren, [illegible] [illegible] [illegible] to perform, a duty we owe to our profession – a duty we owe our [illegible] [illegible]. [illegible] that the time is [illegible] [illegible] [illegible] [illegible] [illegible]!

Let not [illegible] [illegible] [illegible] [illegible] – no [illegible] sympathy influence our action.

But with that [illegible] [illegible] [illegible] [illegible] sense of justice which has ever characterized the [illegible] [illegible] let us vindicate the majesty of the laws and the [illegible] [illegible] [illegible] of our noble profession.

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] name, beside those [illegible] [illegible] and [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] that [illegible] daily [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] children.

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

[illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] of the [illegible] court, [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of the [illegible] [illegible] [illegible] [illegible] [illegible] the legal profession [illegible] the [illegible] of [illegible] [illegible] [illegible] [illegible] [illegible] Dodd, who departed this life [illegible] thirty first, [illegible]. [illegible] [illegible] Dodd was one of the best [illegible] [illegible] [illegible] [illegible] [illegible] respected by the bar [illegible] the [illegible] [illegible] [illegible] [illegible] integrity and high moral character, and he [illegible] [illegible] [illegible] among the best in the profession. He was kind, [illegible] [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] the [illegible] [illegible] [illegible] [illegible] all who formed his acquaintance. [illegible] his death [illegible] [illegible] [illegible] [illegible] [illegible] of its best and brightest members and [illegible] [illegible] of its most esteemed and respected citizens.

Resolved, that we [illegible] [illegible] [illegible] [illegible] feelings for our late lamented brother, [illegible] [illegible], [illegible] [illegible] that this expression of our regard be entered [illegible] on the minutes of our [illegible] Court and a copy [illegible] [illegible] in the daily newspapers, and a copy [illegible] [illegible] [illegible] [illegible] family of [illegible] Dodd.

Obituary.

[illegible]

[illegible]

The Committee [illegible] submitted the following eulogy: [illegible]

[illegible] In obedience to [illegible] why does a [illegible] [illegible] Why is that grave [illegible] that usually [illegible] with sadness and thought? The answer be that there are those we loved, those whose friendship we esteemed, those whose companionship we cherished, those whose [illegible] on the [illegible] [illegible]. No more will we [illegible] their [illegible], no more will we hear their voice, no more will we enjoy their companionship. Their life [illegible] has ceased to flow, their [illegible] rest upon lifeless forms, their voices are hushed in death and they sleep the silent sleep of countless millions who have succumbed to the inevitable moment that awaits us all.

But why should we stand awed in the presence of death? We find the answer in our own inability to comprehend; could we solve the mysteries that surround the [illegible]; comprehend the infinite, [illegible] the incomprehensible we would lose our reverence for these things, and they would become commonplace to us. Were our knowledge to extend beyond the grave we would lose that reverence which we observe in the presence of death, [illegible] friends. We are drifting, drifting, drifting upon the [illegible] of an unknown [illegible] future, and the most learned cannot tell us when, how, where, the [illegible] from another shore will [illegible] us into eternity. The [illegible], the philosopher, [illegible] [illegible] life, [illegible] death, we see them [illegible] and the [illegible] silence we [illegible] and [illegible] [illegible], insoluble inquiry. [illegible] unknown [illegible], the [illegible] that was planted here within our [illegible] [illegible] beyond, and [illegible] our [illegible] shall [illegible] the sweet symphonies of angelic choirs that [illegible] and soften [illegible] anguish.

[illegible], while we mourn the loss of our departed brothers, we hope that they have met in congenial companionship with acquaintances of former years and that they await as anxiously our coming as we [illegible] their absence.

Who can say that there is not a life beyond the grave where [illegible] of the [illegible] of this life [illegible] meet in united companionship and [illegible] the harmonious beauties of a celestial world. Let us hope [illegible].

[illegible] of our esteemed brother members of the Bar, Ezra S. Dodd, whose death we now deplore, and the memory of whose virtues and of that high estimate in which he was held by his fellow [illegible] are [illegible], in [illegible] [illegible] and [illegible] honored [illegible] [illegible] [illegible] [illegible] of the commonwealth [illegible] [illegible] [illegible] [illegible] the [illegible] [illegible] [illegible] early education was [illegible] [illegible] [illegible] [illegible] [illegible] alternate at [illegible] academy, [illegible] and [illegible] [illegible] with [illegible] [illegible] the [illegible] [illegible] that [illegible] [illegible] [illegible] in [illegible] and [illegible] the world, [illegible] [illegible] [illegible] [illegible], [illegible], England. [illegible] prominent figure in the great state of Ohio, being for a number of years the editor of the Toledo Democrat and [illegible] [illegible] of the most [illegible], [illegible] [illegible] of the [illegible] [illegible] [illegible], and [illegible], [illegible] [illegible], [illegible], [illegible] [illegible] and cultured [illegible], he [illegible] [illegible] [illegible] among the [illegible] leaders of his native state, and one [illegible] richly [illegible] [illegible] [illegible], in justice and [illegible]. [illegible] [illegible] [illegible] halls of state, his advice sought [illegible] [illegible] in the council chambers of her greatest men. The [illegible] [illegible] of his handiwork which he leaves as a priceless heritage to [illegible] posterity, have become a part of the [illegible] [illegible] of one of the [illegible] [illegible] of the greatest government on earth.

Politically [illegible] [illegible] was a democrat, and his party, in just recognition of his [illegible] [illegible], [illegible] [illegible] him with high positions of trust and [illegible]. He was a delegate to the National national convention, [illegible] [illegible] elected to the state senate of [illegible] [illegible] [illegible] [illegible] commissioner, one of the highest positions in the State, and was a member of the last constitutional convention of that state. He was also public prosecutor of [illegible] [illegible] in the state, besides holding [illegible] other positions of trust and honor in that state. While a [illegible] [illegible], [illegible] [illegible] [illegible] and went into the [illegible] [illegible] [illegible] [illegible] and was [illegible] [illegible] [illegible] of the [illegible] [illegible] regiment.

[illegible] [illegible] [illegible] gifted, and [illegible] [illegible] [illegible] his [illegible] [illegible] in Guthrie. [illegible] [illegible] of the [illegible] [illegible] citizen of [illegible]. [illegible] [illegible] a citizen [illegible] [illegible], as [illegible] a citizen [illegible].

[illegible] was prominently [illegible] in the upbuilding of Guthrie. [illegible] [illegible] of the [illegible], and [illegible] [illegible] energy he [illegible] every effort in that direction. [illegible] called upon when the interest of Guthrie was at stake that he did not respond liberally and cheerfully. To the enterprise and forethought of [illegible], we are indebted for some of our most [illegible] and influential citizens

[illegible] one of [illegible] products of [illegible].
He was [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] have made all [illegible] ranks of [illegible], every one [illegible] of [illegible] men, generally admired and esteemed [illegible] [illegible] Indian Territory, [illegible] [illegible], [illegible] [illegible] dangers he shared in enterprises of great moment.

When the [illegible] records of this territory be [illegible] [illegible] of [illegible] unfaltering forethought and energy and the lives [illegible] [illegible] in the history of Oklahoma, with a realization of the [illegible] [illegible] [illegible] will brighten his memory. And when the [illegible] of this young but great commonwealth, his name will [illegible] a public recognition.

[illegible] [illegible] is a [illegible] [illegible] and [illegible] friend. Now we [illegible] bid him [illegible] sympathize with the bereaved family who with us, [illegible] comfort [illegible] their grief from the contemplation of a well spent life and the eternal [illegible] that may [illegible] each other again beyond the grave.

"Eternal Hope! when yonder spheres sublime
Pealed their first notes to sound the march of time.
Thy joyous youth began— but not to fade—
When all the sister planets have decayed;
When wrapt in fire, the realms of ether glow,
And Heaven's last thunder shakes the world below;
Thou, undismayed, shall o'er the ruins smile,
And light thy torch at Nature's funeral pile."

"Unfading Hope! when life's last embers burn,
When soul to soul, and dust to dust return;
Heaven to thy charge resigns the awful hour;
Oh! then thy kingdom comes; Immortal Power!
What though each spark of earth-born rapture fly
The quivering lip, pale cheek, and closing eye;
Bright to the soul thy seraph hands convey
The morning dream of life's eternal day."

United States of America
Territory of Oklahoma
In the Supreme Court. January Term 1893.

Be it remembered that on the twenty sixth day of January AD one thousand eight hundred and ninety three. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to order of adjournment. There was present Hon E. B. Green Chief Justice Hon Jno. H. Burford Hon Jno. G. Clark Associate Justices, Chas. H. Filson Clerk and E. J. Robinson Crier

Public proclamation of the opening of the court being made by the crier the following proceedings were had.

And now comes J. R. Thurston Esq. and moves the court to admit L. E. Payne Esq of Chandler Oklahoma as an Attorney and Counsellor of this court and the applicant presenting to the court satisfactory evidence of her admission to practice in the District Court of said Territory and having subscribed the oath required.

It is ordered by the court that the said L. E. Payne be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

Thereupon It was ordered that the court stand adjourned until Friday January twenty seventh at ten o'clock A.M. Public proclamation thereof being made by the crier

Chief Justice

Attest
Chas. H. Filson Clerk

United States of America
Territory of Oklahoma
In the Supreme Court January term 1893.

Be it remembered, that on this the twenty seventh day of January one thousand eight hundred and ninety three, the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie. There was present Hon. E. B. Green, Chief Justice, Hon. Jno. H. Burford and Hon John G. Clark Associate Justices, [illegible] Assistant United States Attorney, Chas. [illegible] Clerk and E. [illegible] Crier.

Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

And now comes [illegible] Esq. and moves the Court to admit Talcott [illegible] as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of said Territory and having subscribed the oath required

It is ordered by the Court that the said Talcott [illegible] be and hereby is admitted to practice in the Supreme and District Courts of the Territory of Oklahoma.

No 20 Charles [illegible] Appellant vs George [illegible] et al Appellees } Appeal from the District Court Canadian County

And now on this twenty seventh day of January A.D. one thousand eight hundred and ninety three, being one of the judicial days of the January term of said Court and this cause having been submitted on the record and the errors therein assigned and the court being fully advised in the premises on consideration thereof doth find that in the proceedings in the district Court and the judgment therein contained that there is not any error in manner and form as alleged in said assignment of errors

It is therefore considered by the Court that the judgment of the District Court be and the same is in all things affirmed and that the appellants herein pay the costs of this court

No 51 to be taxed by the clerk.
The opinion of the court was delivered by Hon. Frank Dale Associate Justice, the other Justices concurring and will be found recorded in Opinion Book.

No [illegible] John A. Bentley et al
Appellants
vs
Irene Haines et al
Appellees.
Appeal from the District Court
Oklahoma County

And now on this [illegible] day of January A.D. one thousand eight hundred and ninety three being one of the judicial days of the January term of this Court, this cause came on for decision. The same having been argued and submitted on the record and errors therein assigned and the court being fully advised in the premises on consideration thereof doth find that in the proceedings of the District Court of Oklahoma County and the judgment therein contained that there is not any error in manner and form as alleged in said assignment of errors.

It is therefore ordered by the court that the judgment of the District Court of Oklahoma County be and the same is in all things affirmed and that the appellants herein pay the costs of this cause to be taxed by the clerk. The opinion of the court was delivered by Hon. John H. Burford Associate Justice, the other Justices concurring and will be found recorded in Opinion Book.

No 45 James Thompson et al
Edward Burkhart
Appellants
vs
Thomas Russell
Appellee
Appeal from the District Court of Canadian County

And now on this twenty seventh day of January A.D. one thousand eight hundred and ninety three being one of the judicial days of the January term of this court, this cause came on for decision. The same having been submitted on the record and errors assigned and the court being fully advised in the premises, It is therefore considered and adjudged by the court that the judgment of the District Court of Canadian County be reversed and said cause be remanded with instructions to the court below to grant a new trial and that the appellants herein recover their costs.

The opinion of the Court was delivered by Hon. John H. Burford Associate Justice, the other Justices concurring, and will be found at large on page Opinion Book A.

No. Francisco Marcum
Pres. District School Board et al, Appellants) Appeal from the District Court
vs) of
The Territory of Oklahoma) Logan County.
and John Nelson,
Appellees.

And now on this twenty seventh day of January A.D. one thousand eight hundred and ninety three, this cause came on for decision the same having been fully argued and submitted upon the record and errors therein assigned and the Court being advised in the premises on consideration thereof doth find that in the proceedings in the District Court of Logan County and the judgment therein contained there was error to the injury of Appellants.

It is therefore considered and adjudged by the Court that the judgment of the District Court of Logan County be reversed and the cause remanded with directions to restate the conclusions of law numbered second and third in accordance with the opinion of this court and render judgment therein for defendants; and that the appellants herein recover their costs to be taxed by the Clerk.

The opinion of the court was delivered by Hon. John H. Burford, Associate Justice. Clark J. concurring. Green C.J. dissenting.

The opinions of the Court will be found at large at page . Opinion Book A.

A. B. [illegible] [illegible] Grain Co.
Appellant
vs
E. G. [illegible]
Appellee.

Appeal from the
District Court
Kingfisher County

Come now on this twenty seventh day of January A.D. one thousand eight hundred and ninety three, being one of the judicial days of the January term of this court this cause came on for decision, the same being submitted on the record, and errors therein assigned and the briefs and abstracts filed and the court being fully advised in the premises. It is therefore considered, adjudged and ordered by the court that the judgment of the District Court of Kingfisher County be reversed and the cause remanded with directions to the court below to grant a new trial, and that the appellant recover his costs expended to be taxed by the Clerk of this court.

The opinion of the court was delivered by Hon. John H. Burford Associate Justice, the other justices concurring and will be found at large at page
Opinion Book

No. Robert [illegible] Chandler
Appellant
vs
[illegible] F. [illegible]
Appellee.

Come now on this twenty seventh day of January A.D. one thousand eight hundred and ninety three being one of the judicial days of the January term of this court this cause came on for hearing upon the call of the docket and was submitted on the record and briefs and abstracts filed and was taken under consideration by the court

United States of America
Territory of Arizona
In the Supreme Court, January Term 1883

Be it remembered, that on this the twenty eighth day of January A.D. one thousand eight hundred and eighty three the Supreme Court of the Territory of Arizona met pursuant to adjournment in the city of [illegible]. There were present Hon. C. G. W. French Chief Justice, Hon. [illegible] F. [illegible] and Hon. [illegible] Associate Justices, [illegible] Assistant United States Attorney, [illegible] Clerk and [illegible] Crier.

Public proclamation of the opening of the court being made by the crier the following proceedings were had.

And now comes [illegible] Esq. and moves the court to admit [illegible] of [illegible] Arizona as an attorney and counsellor of law, and the said applicant presenting satisfactory evidence to the court of his admission to practice in the District Court of said Territory, and having subscribed the oath required, it is ordered by the court that the said [illegible] be and hereby is admitted to practice in the Supreme and Inferior Courts of this Territory.

[illegible] [illegible]
Appellant
vs.
[illegible]
Appellee

} Appeal from the District Court of [illegible] County

And now on this twenty eighth day of January A.D. 1883 being one of the judicial days of the January term of this court, this cause coming on for decision, the same having been submitted on the record and errors assigned therein, and the briefs filed, and the court upon consideration thereof doth find that there is not any error in manner and form in the judgment in said cause in the District Court of [illegible] County. It is therefore considered and adjudged by the court that the judgment of the District Court of [illegible] County be affirmed in all things with costs.

The opinion of the court was delivered by Hon. [illegible] Associate Justice, the other justices concurring, and will be found at large at page   Opinion Book [illegible]

No 31. M. F. Johnson
Appellant
vs
J. A. Mocabee.
Appellee

Appeal from the
District Court
of
Canadian County

And now on this twenty eighth day of January A.D. one thousand eight hundred and ninety three being one of the judicial days of the January term of this court this cause came on for decision the same having been submitted upon the record and assignment of errors therein and the briefs filed and the court upon consideration thereof finds that there is not any error in the manner and forms as alleged in said assignment of errors. It is therefore considered and ordered by the court that the judgment of the District Court of Canadian County be affirmed with costs.

The opinion of the court was delivered by Hon John H. Clark Associate Justice, the other justices concurring, said opinion will be found at large at page Opinion Book A

No 62 Eric C. Smith et al
Appellants
vs
The Bank of Kingfisher
Appellee

Appeal from the
District Court
of
Kingfisher County

And now on this twenty eighth day of January A.D. 1893. being one of the judicial days of the January term of this court comes H. A. McCartney Esq counsel for appellants and asks leave of the Court for time in which to prepare and file amended bill of exceptions in this cause which was granted by the court and time was extended until February tenth. 1893 in which to file said bill of exceptions.

No 55 Curt H. Blackburn
Appellant
vs
The United States.
Appellee

Appeal from the
District Court
of
Oklahoma County

And now on this twenty eighth day of January A.D. 1893, being one of the judicial days of the January term of this Court this cause came on for decision upon the motion of appellant to vacate the order dismissing the appeal and for the re-instating of his case. Thereupon it was ordered by the court that said petition be denied and that the judgment of the district court of Oklahoma County be carried into execution by the Marshal of the Territory of Oklahoma

Alexander [illegible] James L. Markham vs The United States	Appeal from the District Court of Oklahoma County

Be it remembered that on the twenty eighth day of January A.D. 1893 it was ordered by the court that this cause be continued until the June term 1893.

Thereupon by order of the court, proclamation thereof being made by the crier the court was adjourned until February 8. 1893

Chief Justice.

Attest

Clerk

United States of America
Territory of Oklahoma
In the Supreme Court. January term 1893.

Be it remembered that on this the eighteenth day of February A.D. one thousand eight hundred and ninety three, the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie there was present Hon. E. B. Green Chief Justice, Hon John H Burford and Hon John G. Clark Associate Justices. John F. Stone Esq Assistant United States Attorney, Chas. H Filson clerk.

Public proclamation of the opening of the court being made by the clerk the following proceedings were had

And now comes L. ? Pittie Esq and moves the court to admit Lucius M. Conklin as an attorney and Counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Courts of this Territory and having subscribed the oath required It is ordered by the court that the said Lucius M. Conklin be and hereby is admitted to practice in the Supreme and Inferior courts of the Territory of Oklahoma

And now comes Asa Green Esq and moves the court to admit H. G. Pardoe of Oklahoma City, as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of the Territory and having subscribed the oath required, It is ordered by the Court that the said H. G. Pardoe be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

And now comes Selwyn Douglas Esq and moves the Court to admit Henry G. Thomas as an Attorney and Counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Court of the Territory, and having subscribed the oath required.

It is therefore ordered by the Court that the said Henry G. Thomas be and hereby is admitted to practice in the Supreme & Inferior Courts of said Territory

And now comes [illegible] Esq. and moves the Court to admit Alexander [illegible] Hill of [illegible] as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the district court of said Territory and having subscribed the oath required

It is ordered by the court that the said Alexander [illegible] Hill be and hereby is admitted to practice in the Supreme Court of the Territory of Oklahoma

And now comes [illegible] Esq. and moves the court to admit John R. Clark of Stillwater as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice to practice in the district court of the Territory and having subscribed the oath required.

It is ordered by the court that the said John R. Clark be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

No 60. Charles [illegible]
Appellant
vs
[illegible] et al
Appellees

Appeal from the Probate Court of Oklahoma County.

And now on this eighteenth day of February A.D. 1893 being one of the judicial days of the January term of this Court, this cause came on for decision, the same having been submitted upon the record and errors assigned and briefs filed and the court being fully advised in the premises it is considered and adjudged by the court that the judgment of the Probate Court be reversed and cause remanded to the Probate Court of Oklahoma County with directions to sustain appellants motion for a new trial and to award a venire de novo

Robert W. Chandler
Appellants
vs
Charles F. Colcord
Appellees

Appeal from the
Probate Court of
Oklahoma County

And now on this eighteenth day of February A.D. 1893 being one of the judicial days of the January term of this Court this cause came on for decision having been submitted upon the record and assignment of errors and briefs filed and the Court being fully advised in the premises on consideration thereof, doth find and it is ordered by the Court that the judgment of the Probate Court of Oklahoma County be reversed with costs and said cause be remanded with direction to award a new trial.

The opinion of the court was delivered by Hon E. B. Green, Chief Justice, the other justices concurring and will be found at large at p . Opinion Book A.

No 62 Orion C. Smith et al
Appellants
vs
The Bank of [illegible]
Appellees.

And now on this eighteenth day of February 1893 H. H. Noffsinger Esq. Counsel for appellees asked for extension of time in which to prepare and file briefs which was granted by the court and time granted until March eighth in which to file such briefs

No [illegible] Charles A. Green et al
B. F. Miller
Appellants
vs
Geo. L. Pearson
Appellee.

And now on this eighteenth day of February A.D. 1893 this cause came on for hearing upon the call of the docket, and appellant having failed to comply with the rules of this Court in the filing of briefs and abstracts It is therefore ordered by the Court that the judgment of the District Court of

Supreme Court is adjourned [illegible].

In re
George H. Fisher

Application for writ of
Habeas Corpus.

And now on this **Eighteenth** day of **February** A.D. 1893 comes Amos Green his counsel for petitioner his verified petition, praying that for the reasons set out in said petition, the writ of habeas corpus issue to William Grimes, Marshal of the Territory of Oklahoma, commanding him to have the body of George H. Fisher before the Supreme Court and to show by what authority he detains him in his custody and restrains him of his liberty and praying further that upon the return of said writ and upon the final hearing of said petition that he may be released from such custody and accorded his liberty pending his appeal to the Supreme Court of the United States. Which petition was taken under consideration by the court.

The Territory of Oklahoma
ex rel Harry Eaton
Petitioner
vs
L. F. Paine Auditor
of the Territory of Oklahoma

Application for
writ of
Mandamus.

And now on this eighteenth day of February A.D. 1893 comes the petitioner and presents his duly verified petition praying that a writ of mandate issue upon the defendant the Auditor of Oklahoma Territory, to compel said Auditor to audit and allow Relator's claim for services as Assistant Sergeant at Arms and Doorkeeper of the Legislative Council of Oklahoma Territory and the agreed statement of facts in said cause, which was argued in behalf of the Relator by Joseph Wisby and C. G. Horner and upon behalf of the defendant by Charles Brown Attorney General of said Territory, and the court being fully advised in the premises, It is therefore considered and adjudged that the petition of said Relator be denied.

It is ordered by the Court

That rule 31 be amended by striking out the word "third" in the last line and inserting in lieu thereof "second" so as to provide that the call of the docket will commence on the second day of the term.

It is ordered by the Court that the following rule be adopted.

Rule No. 42.

During the first four weeks of each term of this Court, the District Court of the Territory shall be adjourned and no business shall be transacted in said Courts during said time: Provided that any cause on trial and not concluded prior to the first day of a regular term of this court may be concluded before adjournment.

Thereafter by order of the Court proclamation thereof being made by the Crier The Court adjourned until March [illegible]

Chief Justice

Attest
[illegible] Clerk

United States of America
Territory of Oklahoma
In the Supreme Court. January term 1893

Be it remembered that on this the eleventh day of March in the year of our Lord one thousand eight hundred and ninety three the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment upon one of the judicial days of the January term of said Court. There was present Hon. E. B. Green Chief Justice, Hon. John H. Burford Hon. John G. Clark Associate Justices, Horace Speed Esq. United States Attorney, [illegible] Clerk and E. P. Babcock Crier.

Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

And now comes John Foster Esq. and moves the Court to admit Hon George S. Green as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of said Territory and having subscribed the oath required.

It is ordered by the Court that the said George S. Green be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes John Foster Esq. and moves the Court to admit Hon J. C. Strang as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of this Territory and having subscribed the oath required.

It is ordered by the Court that the said J. C. Strang be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes A. G. C. Bierer Esq and moves the Court to admit Louis E. Pitts as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of this Territory and having subscribed the oath required.

It is ordered by the Court that the said Louis E. Pitts be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes C. R. Reddick Esq and moves the Court to admit H. T. Bates of Oklahoma City, as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of this Territory and having subscribed the oath required.

It is ordered by the Court that the said H. T. Bates be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

And now comes Chas. Brown Esq and moves the Court to admit Alex G. Baldwin of Guthrie as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of this Territory and having subscribed the oath required

It is ordered by the Court that the said Alva G. B. Baldwin be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

And now comes H. P. Harlan Esq and moves the Court to admit Emmor E. Buen as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of this Territory and having subscribed the oath required. It is ordered by the Court that the said E. E. Buen be and hereby is admitted to practice in the Supreme and Inferior Courts of this Territory

And now comes [illegible] Beardsley and moves the Court to admit [illegible] to practice as an Attorney and Councellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of this Territory and having subscribed the oath required.

It is ordered by the Court that the said M. W. Myall be and hereby is admitted to practice in the Supreme Court of the Territory of Oklahoma

No. 62 Peter C. Smeltzer
Appellants
vs
The Bank of Kingfisher
Appellees

Appeal from the
District Court of
Kingfisher County

And now on this eleventh day of March 1893. being one of the judicial days of the January term of the Court, this cause came on for hearing upon the call of the docket and was submitted for consideration of the Court by the parties upon the record and the briefs and abstracts filed and was taken under consideration by the Court.

No. 28 J. A. Swope
Appellant
vs
A. N. Smith
Appellee

Appeal from the
District Court of
Oklahoma County.

And now on this eleventh day of March A.D. 1893. being one of the judicial days of the January term of the Court. this cause came on for decision and upon consideration thereof the Court doth find that in the proceedings and judgment contained in the District Court of Oklahoma in said cause there is not any error as alleged. It is therefore considered and adjudged by the Court that the judgment of the District Court of Oklahoma County be in all things affirmed and that appellant pay the costs in this court to be taxed by the clerk and hereof let execution issue.

The opinion of the Court was delivered by Hon E. B. Green Chief Justice the other Justices concurring

In re
Fixing the date of
holding terms of the
District Court in Counties
in the Second Judicial District.

It is ordered by the Court that a regular term of the District Court shall be held in the Second Judicial in the several counties: viz.

In County "D" at the town of Taloga Commencing Tuesday May 23. 1893.

In C (Blaine) County at the town of Watonga Commencing Thursday June 1st 1893.

In Washita County at the town of Cloud Chief commencing on Monday June 12, 1893.

In re
Fixing the date for holding
a term of the District
Court in Pottawatomie County.

It is ordered by the court that a term of the District Court be held in the County of Pottawatomie at the town of Tecumseh Commencing on Wednesday May 31. 1893.

No.

A. J. Rice et al
Appellants
vs
J. B. Test
Appellees

And now on this eleventh day of March 1893 comes C. A. Carswell Esq. Counsel for appellants and asks leave of the Court to file supplemental brief, which was granted and fifteen days time was granted within which to prepare and file such supplemental brief.

In
Exparte
Lucrette Impson.

In
George Smith
Appellant } Appeal from the
vs } District Court of
John DeBerry } Cleveland County
Appellee

And now on this eleventh day of March 1873 this cause came on for hearing upon the call of the docket, whereupon by argument of counsel said cause was submitted for the consideration of the court upon the briefs, abstract and record and taken under advisement.

It is ordered by the Court,
That the following named members of the bar of this court be appointed a committee upon behalf of this court to formulate rules under the statute of Oklahoma not in conflict therewith for the application and admission of attorneys to practice in the District Courts of the Territory, and that they report in writing at the next setting of the Court.
Harper S. Cunningham Esq of the First District, Chas. H. Carswell Esq of Second District and Henry W. Scott of Third District and the Clerk of this court is directed to notify each of said gentlemen of this order.

Thereupon it was ordered by the Court, proclamation thereof being made by the Crier that the Supreme Court be and stand adjourned until March 13. 1843 at ten o'clock

Chief Justice

Attest,
Chas. H. Tilson
Clerk

United States of America }
Territory of Oklahoma }

In the Supreme Court January term 1893

Be it remembered on this eleventh day of March A.D. 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie, being one of the judicial days of the January term of the Court.

There was present Hon. E. B. Green Chief Justice, Hon. J. H. Burford [illegible] [illegible] Clark Associate Justices, Hon. [illegible] Horace Speed United States Attorney, Chas H. Filson Clerk and Eddie [illegible] Baker Crier

Public proclamation of the opening of the Court being made the following proceedings were had.

The Territory of Oklahoma
Ex rel John W. Carlew
vs
C. A. [illegible], Mayor
of Oklahoma City

Application for a
Writ of Mandate

Comes now the above parties by their attorneys C. F. [illegible] Esq. for relator and [illegible] Esq for respondent and submits an agreed case and prays that a peremptory writ of mandate issue to the respondent herein out of this court directing him to call an election for the purpose of electing City officers in the City of Oklahoma City, at the election to be held on the first Tuesday of April 1893, and the issues being joined the cause was submitted and argued by counsel and the court upon consideration thereof doth order that said petition be denied at the cost of the relator.

Chas A. Carson and
B. N. Miller
vs
Ras L. Pearson

Wednesday 15th day of March 1893

This cause came on for decision upon the motion of appellants to vacate the order of the Court affirming the judgment herein which was overruled.

Thereupon by order of the Court proclamation thereof being made by the Crier Court was adjourned until April 15. 1893 at ten o'clock

Chief Justice

Attest
Chas H. Fison
Clerk

United States of America
Territory of Oklahoma
In the Supreme Court, January term 1893.

Be it remembered that on the 15th day of April A.D 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie

Present: Hon E. B. Green, Chief Justice, Hon John H. Burford Associate Justice, Horace Speed Esq United States Attorney, Chas Brown Esq Attorney General, William Grimes Marshal and E. J. Bacon Clerk of the Court. Public proclamation of the opening of the court being made by the Marshal, the following proceedings were had

Territory of Oklahoma
Exrel A. J. Seay, Governor
vs
Samuel Murphy

Ex parte
Lafayette Simpson.

And now on the 15th day of April 1893 being one of the judicial days of the January term of said court this cause came on for decision, the same having been fully argued and the court being fully advised in the premises It was ordered that the petition for the writ of habeas corpus be denied

Ex parte
Henry T. Bowers and
Charles E. Elkins

Be it remembered that on this 15th day of April A.D. 1893 the petitioners Henry T. Bowers and Charles E. Elkins by their attorney C. T. Harris Esq. presented their duly verified petition praying that the writ of habeas corpus issue to William Grimes, directing him to release from custody said petitioners and further directing the District of Cleveland to reduce the amount of bail required and that they be permitted to give bail in the amount so reduced and be awarded their liberty pending such bail.

Whereupon it was ordered, adjudged and decreed that said petition be dismissed and that said petition for reduction of the bail bond be presented to the District Court of Cleveland it not being made to appear that said District Court had refused to reduce said bond and that the said petition for writ of habeas corpus corpus be denied

And now comes Chas. Brown Esq. and moves the court to admit Willard F. Bleamore of Oklahoma City as an Attorney and Counseller of Law the applicant presenting to to the court satisfactory evidence of his admission to practice in the District Court of this union and having subscribed the oath.

It is therefore ordered by the court that the said Willard F. Bleamore be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory

And now comes [illegible] Esq and moves the Court to admit [illegible] of [illegible] as an attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of the Territory and having subscribed the oath.

It is ordered by the Court that the said [illegible] be and hereby is admitted to practice in the Supreme and Inferior Courts of said Territory

And now comes [illegible] Esq and moves the Court to admit L. Lyman [illegible] of [illegible] as an attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath;

It is hereby ordered by the Court that the said L. Lyman [illegible] be admitted to practice in the Supreme and Inferior Courts of this Territory

It was thereupon ordered that the Court be adjourned until April 29. 1873 at ten o'clock A.M. Proclamation thereof being duly made by the Marshal

Chief Justice

Attest
Chas [illegible] Clerk

Be it remembered that on the [illegible] day of June A.D. 1893 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie in said Territory, it being the first day of the June term of said Court.

Present and presiding Hon. E. B. Green chief justice, Hon. J. H. Burford and Hon. J. G. Clark associate justices, Horace Speed Esq. United States Attorney, William Grimes Marshal by James Blue, deputy, Chas. H. Filson Clerk.

Proclamation of the opening of the court having been made by the Marshal the following proceedings were had.

And now comes [illegible] Esq. and moves the court to admit T. J. Sheppard of Oklahoma City as an Attorney and Counsellor of Law, the applicant presenting to the court satisfactory evidence of his admission to practice in the District Court and having subscribed the oath.

It is ordered by the Court that the said T. J. Sheppard be and hereby is admitted to practice in the Supreme Court of the Territory of Oklahoma.

And now comes J. R. Malone Esq. and moves the Court to admit John S. Calhoun of Guthrie as an Attorney and Counsellor of Law, the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath.

It is ordered by the Court that the said John S. Calhoun be and hereby is admitted to practice in the Supreme Court of the Territory of Oklahoma.

And now comes C. R. Thurston Esq. and moves the Court to admit William H. McCarver of Guthrie as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of the Territory and having subscribed the oath. It is ordered by the Court that the said William H. McCarver be and hereby is enrolled and admitted to practice in the Supreme Court of the Territory of Oklahoma

Driscoll and Smith
Appellants
vs
W. S. Thurtle Marshal
Appellee

} Appeal from the District Court of Logan County.

And now comes J. R. Keaton Esq counsel for appellants and by leave of the Court files motion asking extension of time in which to file briefs in this cause

United States of America
Territory of Oklahoma

Be it remembered that on this twentieth day of June A.D. 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment, the same being the second day of the June term of said Court.

There were present Hon. E. B. Green, Chief Justice, Hon. J. H. Burford and Hon. A. G. C. Bierer Associate Justices, Horace Speed Esq. United States Attorney, Chas. Brown Esq. Attorney General in said Territory, William Grimes Marshal, [illegible] Clerk, and James Blue, Crier.

Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

Grant Stanley
Appellant
vs
The United States
Appellee
} Appeal from the District Court of Oklahoma County.

And now on this 20th day of June A.D. 1893 it is ordered by the court that time be extended until June 23, 1893 for appellant to file briefs.

No. 82 H. F. Bryant and
Braxton Smith
Appellants
vs
M. J. Quarty
Appellee
} Appeal from the District Court of ~~Oklahoma~~ Logan County.

And now on this 20th day of June A.D. 1893 it is ordered by the court that the time for filing briefs of appellant be extended until September 1, 1893.

And now comes John I. Dille Esq. and moves the Court to admit H. B. Herod as an attorney and counsellor of Law, the applicant presenting to the court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required.

It is ordered by the Court that the said H. B. Herod be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes A H Huston Esq, and moves the court to admit William M Bowles as an Attorney and Counsellor of Law. the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required.

It is Ordered by the Court that the said W M Bowles Esq be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

And now comes A H Huston Esq and moves the court to admit E G Hogan of Guthrie as an Attorney and Counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required

It is ordered by the Court that the said E G Hogan be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma

Samuel Sproat
Appellant
vs
Otto E. Durland
Appellee
} Appeal from the District Court of Oklahoma County

And now on this 20th day of June A D 1893 W S Field Esq counsel for appellee files motion to dismiss the appeal herein which was taken under consideration by the Court

Ira N. Terrill
Appellant
vs
The Territory of Oklahoma
Appellee

And now on this 20th day of June A D 1893 it was ordered by the court that time be extended thirty days from this date for appellant to file briefs and abstracts and perfect appeal but that said order shall be without prejudice to the rights of the Territory.

And now comes Hon. Frank Dale and presents his Commission from the President of the United States appointing said Dale as Associate Justice of the Supreme Court of the Territory of Oklahoma, vice Clark, and requests that the oath of office be administered and that he be allowed to participate in the deliberations of the Court as a member thereof. Thereupon Hon. John G. Clark presented and read the following protest viz:

Guthrie June 20. 1893

Hon E. B. Green, Chief Justice &c.
Hon J. H. Burford Associate Justice
Supreme Court. Oklahoma Territory.

Gentlemen:

I hereby enter my protest against the administration of the oath as Associate Justice of the Supreme Court of this Territory to Hon. Frank Dale.

This action is based on the fact that in as much as the Organic Law has accorded to this tribunal only three members and these three are now in possession of their respective positions by virtue of commissions from the President of the United States by the terms whereof this court is at present constituted is to exist until the month of May, 1894. There is no vacancy for Mr Dale to occupy.

If it should transpire that the learned gentleman bases his request upon any sentence of removal pronounced against any of the present justices I respectfully request that you as Chief Justice, and you John H. Burford as Associate Justice of this Court take judicial notice of the organization of this Court and advise an adjudication upon the validity of such removal and the correctness of his appointment before extending recognition to his claims.

Respectfully Yours,
John G. Clark
Associate Justice Supreme Court.
Territory of Oklahoma.

Which protest was ordered by the court to be spread upon the journal of the Court.

The oath of office was then administered to Hon Frank Dale and it was ordered that a copy of said oath and his Commission as Associate Justice of the Supreme Court be spread of record in this Court. Thereupon said Dale announced that he was ready to enter upon the discharge of his duties as Associate Justice of the Supreme Court of Oklahoma, and requested that he be given a seat on the bench as a member of the Court, The Hon John G. Clark refusing to vacate for the reasons set forth in his protest. The Court proceeded with the call of the docket and the following proceedings were had.

No 71.
Clay Colins
vs
The United States

And now on this 20th day of June AD 1893 this cause came on for hearing upon the call of the docket and on motion of Amos Green Esq Counsel for appellant the same was passed for the day.

No 72
John Dempsey
Plaintiff in Error
vs
The United States
Defendant in Error.

Error to the District Court of Oklahoma County

And now on this 20th day of June A.D. 1893 this cause came on for hearing upon the call of the docket and on motion of Amos Green Esq Counsel for plaintiff in Error the same was passed

No 73

Lawrence [illegible],
Plaintiff in Error
vs
The United States
Defendant in Error

And now on this 20th day of June A.D. 1893 this cause came on for hearing upon the call of the docket and it was ordered that said cause be passed

No

Alexander [illegible] et al
James L. Burnham
Appellants

vs

The United States
Appellees.

Appeal from the
District Court of
Cleveland County

And now on this 20th day of June A.D. 1893 this cause came on for hearing upon the regular call of the docket and appellants not responding it was ordered that said cause be passed.

Thereupon in order of the Court, proclamation thereof being made by the Clerk. Court adjourned until June 21st 1893 at 9 o'clock A.M.

Chief Justice

Attest
C. H. Filson
Clerk

Grover Cleveland
President of the United States of America
To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Frank Dale of Oklahoma Territory, I do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma, (vice Clark) and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said Frank Dale until the end of the next session of the Senate of the United States and no longer subject to the conditions and provisions prescribed by Law

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed. Given under my hand at the City of Washington the 26th day of May in the year of our Lord one thousand eight hundred and ninety three and of the Independence of the United States of America the one hundred and seventeenth.

Seal

Grover Cleveland.

By the President

Richard Olney
Attorney General

Oath of Office of Hon. Frank Dale.

I, Frank Dale, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. and I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

Frank Dale

Subscribed and sworn to before me this 20th day of June A D 1893

E. B. Green
Chief Justice.

United States of America
Territory of Oklahoma

Be it remembered that on this the twenty first day of June A.D. 1893 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, pursuant to adjournment, the same being the third day of the June term of said Court. There was present Hon. E. B. Green Chief Justice, Hon. J. H. Burford and Hon. J. G. Clark Associate Justices, Horace Speed Esq United States Attorney, Charles Brown Esq Attorney General of said Territory, William Grimes Marshal, Chas. H. Filson Clerk and James Blair Crier.

Public proclamation of the opening of the Court being made by the Crier, the following proceedings were had:

In re
The appointment of
Hon Frank Dale as
Associate Justice of the
Supreme Court of the
Territory of Oklahoma.

The Court finds itself confronted with two claimants to the seat of one of the Associate Justices of this Court, each claiming the right to the office and each seeking to discharge its duties.

In order to relieve the Court of its present embarrassment and enable it to proceed with its labors without confusion or delay, the claimants Hon John G. Clark and Hon Frank Dale have requested us to indicate which of them we will recognize as the Associate Justice in case of a division and the services of a third judge is required.

This is an Appellate Court without original jurisdiction and no case is before us on appeal or issue presented by which we can pass upon or determine the rights of these parties, we have so far refrained from taking any action or indicating any opinion regarding their legal rights.

But inasmuch as the Court cannot orderly proceed in its present dilemma, we deem it our duty to grant the request of these gentlemen and on the matters now of record in this Court and of which we can take judicial knowledge only, indicate our views as to the proper course for us to pursue, and in doing this we do not presume to pass upon the question of the legal title to the office or to determine the questions as to whether a vacancy existed in said office at the time Judge Dale's commission issued, or commit ourselves on the question of the power of the Executive to create a vacancy in the office of associate justice of this Court by removal. These questions can only come before us on appeal from a judgment in a proper proceeding instituted in one of the United States District Courts of this Territory.

Judge Clark was appointed associate justice of the Supreme Court of Oklahoma in May 1890, confirmed by the U.S. Senate and commissioned for four years and until his successor is appointed and qualified. We take judicial knowledge of the fact that his term has not expired by limitation but a vacancy may be created in said office during said term by resignation or impeachment, but as questions of fact cannot be tried in this court, and there is no record before us as an appellate Court to which we can look for information we cannot judicially know that a vacancy was not created in one of the ways recognized and unquestioned.

Judge Dale's commission appointing him to the same office bears date May 1893, is signed by the President and bears the great seal. It is regular upon its face and contains nothing by which its legality can be questioned and its validity can only be questioned in a direct proceeding to test the powers and authority of the President to issue it.

Before the President could legally issue a commission to Judge Dale for this office there must have been a vacancy and such vacancy must have been created or occasioned in some manner authorized by law.

It is a recognized rule that the law presumes that a public officer acts within the scope of his authority and according to law, and until the contrary is made to appear we must presume that there was a vacancy in the office of Associate Justice and that the President appointed Judge Dale to fill such vacancy.

It is a rule of law recognized and followed by the U.S. Senate and House of Representatives, the Legislatures of the several states, and the Courts throughout civilized countries that a certificate of election or commission issued by the proper authority and regular upon its face is prima facie evidence of title to the office, and entitles the holder thereof to qualify and discharge the duties until the legality of the election or appointment is tried and determined by competent authority, and in the manner prescribed by law.

Judge Dale's Commission bearing a later date than that of Judge Clark, imports prima facie a right to the office, and until questioned in the proper Court, and in a manner authorized by law, we shall have to recognize his right to sit as a member of the Supreme Court.

In according him the privilege we do so only upon the presumption of law in favor of the validity of his Commission and the prima facie case made thereby, and without prejudice to to the rights of Judge Clark.

Judge Clark contends before this Court that he has not resigned his office — that he has not been removed by impeachment, and that the Executive has no power to summarily remove him. This may all be true, but the questions cannot be tried in this Court, nor can we give any opinion on these questions until they have come regularly before us on appeal and on proper issues.

If his contentions should on a proper showing in a court having jurisdiction of the parties and subject matter and authorized to hear and determine the questions of fact and apply the law be found to be true, then Judge Dale's Commission is illegal and void and gives him no right to the office he claims, and Judge Clark is still entitled to hold said office, discharge its duties and receive its emoluments.

In advancing these views, we desire to express our high appreciation of the character and services of Judge Clark as our Associate on the bench. We have always found him diligent, able, courteous and honorable. In the discharge of every duty he has proven an able assistant and has conscientiously and impartially met and discharged every obligation while sitting as a member of this Court.

Whereupon the Hon. John G. Clark read and presented the following protest which was ordered spread at large upon the Journal of this Court [illegible] June [illegible] '93

Hon E. B. Green Chief Justice
and
Hon John H Burford, Associate Justice
of the Supreme Court of Okla
Gentlemen.

Hon Frank Dale has notified me of his appointment as Associate Justice of the Supreme Court of this Territory and that he has received official information that he is to succeed me as a member of this Court. He has also made demand upon me for the possession of the office, and I have declined to yield.

I have this morning informed him also that I have not resigned, and that my commission as Associate Justice was dated May 14, 1890 as appears from the records of this Court. From this fact, I assume that you will take judicial notice that my term of office will not expire for nearly a year and that in the meantime I cannot be removed at least without cause, without notice and without opportunity to be heard; and that you have not received notice of of any legal action.

Under these circumstances I cannot think my brethren on this bench will regard my action other than a salutary and prudential protection of the trust which has been reposed in me. When a proper Court or forum, under the guidance of legal proceedings, shall have determined that I have ceased to be one of you, or my term of office shall have expired, I shall welcome my successor to the position I now occupy and not till then.

Respectfully Yours
John G. Clark

Thereupon the Hon. John G. Clark vacated his seat upon the bench and the Hon Frank Dale assumed the bench in place of Clark and the following proceedings were had.

And now comes George S. Green Esq and moves the court to admit R. M. Painter of Beaver County, as an attorney and Counsellor of Law, and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required. It was ordered by the Court that the said R. M. Painter and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes J. R. Thurston Esq and moves the Court to admit John H. Crawford of Chandler, as an Attorney and Counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required

It is ordered by the Court that said John H. Crawford be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes J. W. Miller Esq and moves the court to admit T. J. Blevins of Guthrie as an Attorney and Counsellor of Law, and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the United States and having subscribed the oath required, it was ordered by the court that the said T. J. Blevins be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes Harper S. Cunningham Esq and moves the Court to admit Hon John G. Clark of Oklahoma as an Attorney and Counsellor of Law. Whereupon it was ordered that Hon John G Clark be and hereby is admitted to practice in the Supreme Court of the Territory of Oklahoma.

And upon motion of Harper S. Cunningham Esq It was ordered by the Court

That the name of the Hon John G. Clark ex associate Justice of the Supreme Court be placed at the head of the roll of Attorneys of the Supreme Court bar, to the end that when the roll of Attorneys of this Court shall be called that the name shall occupy the place of honor.

No. G. R. Holloway
vs
James H. Dunham et al

And now on this 21st day of June 1893 leave was granted by the Court to file motion by appellees herein to affirm the judgment of the Court below.

No 70 Meyer Bros Drug Co
Appellants
vs

Appellees

And now on this 21st day of June 1893 it was ordered that the time be extended for appellee to file brief until July 11 1893 by agreement of Counsel and it is further stipulated that upon the filing by appellee of said briefs the cause shall be submitted for the consideration of the Court without argument.

Exparte Green } application for writ of habeas Corpus.

And now comes J. D. Lewis Esq counsel for the petitioner herein and Horace Speed Esq United States Attorney and by agreement submit the cause for the consideration of the court upon the petition and the briefs filed.

Alexander Wyatt and
James L. Markham
Appellant
vs
The United States.
Appellee

And now on this 21st day of June 1893 this cause came on for hearing upon the regular call of the docket and the attention of the court being called to the imperfect record in the cause and appellants having failed to perfect said record by filing bill of exceptions and abstracts It is ordered by the Court that the appeal herein be dismissed at the cost of appellants.

Grant Stanley
Appellant
vs
The United States
Appellee

And now on this 21st day of June 1893 this cause came on for hearing and was argued on behalf of the appellant by Amos Green Esq and for the United States by Horace Speed Esq submitted.

[illegible]
Appellant
vs
The United States
Appellee.

Appeal from the
District Court of
Oklahoma County

And now on this 2nd day of June 1893 this cause came on for hearing and was argued on behalf of the Appellant by Amos Green Esq. and for appellee by Horace Speed Esq. United States Attorney and then submitted for the consideration of the Court.

United States of America }
Territory of Oklahoma }

And now on this twenty second day of June A.D. 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie being the fourth day of the June term of said Court.

There was present Hon. E. B. Green, Chief Justice, Hon. J. H. Burford and Hon. Frank Dale Associate Justices Horace Speed Esq. United States Attorney, Chas. Brown Esq. Attorney General of the Territory, William Grimes Marshal by James Blue deputy, and Chas. H. Filson Clerk.

Public Proclamation of the opening of the Court being made by the crier the following proceedings were had.

No 83 R. B. Parris
Appellant
vs
A. Jalonick Jr
Appellee
} Appeal from District Court Canadian County

Be it remembered that on this 22nd day of June 1893 this cause came on for decision upon the motion of appellee that this cause be dismissed. It was therefore ordered by the court that said motion be sustained and the appeal herein be dismissed at the cost of the appellant.

No 8[illegible] Pettway & Ed Pettway
Appellants
vs
Appellees
} Appeal from the District Court of Canadian County

Be it remembered that on the 22nd day of June 1893 this cause came on for decision upon the motion by appellee to strike out the bill of exceptions filed by appellants herein and it was ordered that said motion be overruled

Samuel Sproat
Appellant
vs
Otto C. Durland
Appellee

Be it remembered that on this 22nd day of June 1893 this cause came on for decision upon the motion of appellee to dismiss the appeal herein for failure of appellant to file assignment of errors thereupon it was ordered by the Court that said motion be overruled and leave was granted appellants to file said assignment of errors.

No 81 Berry Brothers
Appellants
vs
George Smith
Appellee

And now comes appellants herein and obtains leave of the Court to file motion for a judgment of reversal in this Cause

No 62 [illegible] C. Smith et al
Appellants
vs
The Bank of [illegible]
Appellants

And now comes H. A. McCartney Esq Counsel for appellants and suggests a diminution of the record, and the certiorari issue directed to the Clerk of the District Court of King Fisher County directing him to certify certain parts of said record in the cause to this Court forthwith thereupon it was ordered that certiorari issue and the said Clerk be commanded to certify to this Court the motion filed in said District court in this cause by appellants.

No [illegible] [illegible] Harris
Appellant
vs
M. P. Henderson
Appellee

Be it remembered that on this 22d day of June 1873 this Cause came on for hearing upon the regular call of the docket and was argued upon behalf of appellant by Brown Esq and submitted on the briefs and abstracts filed

No [illegible] H. S. Gilmore
vs
L. L. Marshal

And now on this 22nd day of June 1893 this cause came on for hearing upon the regular call of the docket and no appearance being made It was ordered that the same be continued until the January term of this Court 1894.

No 85 T. B. Needles
Appellant
vs
C. G. Frost
appellee

And now comes [illegible] Rogers Esq. counsel for appellee and obtains leave of the Court to file his motion to affirm the judgment in this cause for failure of appellants to file briefs.

No 64 Town of Stillwater
Appellant
vs
John Moore
appellee

Appeal from Payne County District Court

Be it remembered that on this 22nd day of June 1893 this cause came on for hearing upon the call of the docket and was argued upon behalf of appellee by George W. Hall Esq. counsel for appellant waiving the right to argue said cause, which was submitted for the consideration of the court upon briefs and taken by the Court.

No 89
Hiram Harkin
Appellant
vs
Belle V. Warren
appellee.

Be it remembered that on this 22nd day of June A.D. 1893 this cause came on for hearing and was argued upon behalf of appellant by H. R. Thurston Esq and upon behalf of appellee by John F. Hays Esq and submitted on the record without briefs and was taken by the court

And now comes Silas Green Esq and moves the Court to admit C. F. Burwell Esq of Oklahoma City as an attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required.

It is ordered that C. F. Burwell be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory

In re
Assigning of
Justice Dale.

It is ordered by the Court that Hon. Frank Dale Associate Justice of the Supreme Court of the Territory of Oklahoma be and hereby is assigned to the Third Judicial District of said Territory.

Thereafter the Court proclamation thereof being made by the crier in order adjourned until June 23 1893 at 10 o'clock

Chief Justice

Attest
C. H. Filson Clerk

United States of America
Territory of Oklahoma
In the Supreme Court June term 1893.

Be it remembered that on this the twenty third day of June in the year of our Lord one thousand eight hundred and ninety three, the Supreme Court of the Territory of Oklahoma met pursuant to adjournment, in the city of Guthrie. There was present Hon. E. B. Green Chief Justice, and Hon Frank Dale Associate Justice, Horace Speed United States Attorney William Grimes Marshal, Chas H. Filson Clerk and James Blue crier.

Public proclamation of the opening of the court being made by the crier the following proceedings were had.

No 85 T. B. Mills.
Appellant
vs
C. G. Frost
Appellee

And now on this 23d day of June 1893 this cause came on for decision upon the motion by appellee to affirm the judgment in this cause, which motion was by the court overruled, and leave granted appellant until June 28th 1893 in which to file briefs and leave granted appellee until July 20. 1893 in which to file assignment of errors and briefs, after which cause may be submitted on behalf of appellant.

No 79 Sargon Peterson
Appellant
vs
A. Calonie
Appellee.

Be it remembered that on this the 23d day of June 1893 this cause came on for decision upon the motion by appellee to dismiss the appeal herein. Thereupon the court being fully advised in the premises, ordered that said motion be sustained and the appeal dismissed at the cost of the appellant

No 81 Burn Brothers
Appellant
vs
George Smith
Appellee.

And now on this 23d day of June 1893 this cause came on for hearing upon the motion by appellant to reverse the judgment in this cause, by reason of the failure of appellee to file answer to assignment of errors. which motion was overruled. Thereupon a rule was entered against the appellee that he join in error by June 26. 1893.

No 76 John Dempsey
Appellant
vs
The United States
Appellee.

Be it remembered that on this 23d day of June 1893 this cause came on for decision upon the motion of appellant for additional time in which to file briefs. Thereupon it was ordered by the court that said motion be granted upon the verification of the allegations in said petition

No 88 Ransom Payne.
Appellant
vs
John Foster, et al.
Council Board No 6.
Appellees

And now comes J. F. Stone Esq. Counsel for appellees and moves the Court that a rule be entered against appellants requiring them to answer. Thereupon such rule was entered and appellants were given were given until June 25. 1893 in which to file answer

United States of America
Territory of Oklahoma.

In the Supreme Court June term 1893.

Be it remembered that on this the 30th day of June 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie

There was present Hon. E. B. Green Chief Justice, Hon J. H. Burford and Hon. Frank Dale, Associate Justices. Horace Speed Esq. United States Attorney, William Grimes Marshal, Charles H. Filson Clerk, and James B. Lee Crier

Public proclamation being made by the crier of the opening of the court the following proceedings were had:

Ransom Payne
Appellant

vs

John Foster Chairman
Townsite Board No 6 et al
Appellees.

Be it remembered that on this 30th day of June 1893 the cause came on for decision it being agreed by the parties hereto that this cause be submitted for the consideration of the Court on the transcript of the record and errors therein assigned, without argument and without the filing of briefs.

It was thereupon ordered by the court that the judgment of the District Court of Logan County be affirmed at the cost of appellant. Said opinion was delivered by Green Chief Justice and will be found at large at page Opinion Book.

To which judgment the appellant by his counsel Amos Green Esq then and there excepted and prayed an appeal to the Supreme Court of the United States which prayer was granted conditioned upon the filing by appellant of a bond in the sum of five hundred dollars with sureties to be approved by the Clerk of the court and thirty days was allowed appellant in which to perfect said appeal.

No 60 John A. Blackburn
vs
The City of Oklahoma City } On rehearing

And now on this 30th day of June 1893 this cause came on for decision upon the petition of appellant for rehearing and the court being fully advised in the premises doth deny said petition at the cost of appellant.

The opinion of the court was delivered by Burford J. and will be found at page Opinion Book A.

No 78 M. J. Ferris
Appellant
vs
A. P. Henderson
Appellee } Appeal from the Probate Court of Beaver County

Be it remembered that on this the 30th day of June A.D. 1893 this cause came on for decision, the same having been argued and submitted on the record and errors therein assigned and briefs, and the court being fully advised in the premises doth find that there was error in the judgment of the Probate Court of Beaver County in said cause.

It is therefore ordered that the said judgment of the Probate Court of said County be reversed at the cost of appellee, and hereof let execution issue.

The opinion of the court was delivered by Dale J. the other justices concurring and will be found at large at page of Opinion Book A.

No Francis P. McKinnon
Appellant
vs
Harvey P. Winn
Appellee

Be it remembered that on this the 30th day of June A.D. 1893 this cause came on for decision the same having been submitted upon the transcript of the record and the errors therein assigned and the briefs and abstracts filed, and the court being fully advised in the premises.

It is therefore considered, ordered and adjudged by the Court that the judgment of the District Court of Oklahoma County be reversed and the cause remanded with directions to proceed in accordance with the opinion of the Court, and that the appellant recover his costs herein expended amounting to $ and hereof let execution issue.

The opinion of the Court was delivered by Burford, J. The other Justices concurring and will be found at large at page in Opinion Book A.

J. P. Holloway
Appellant
vs
James A. Dunham
& William T. Buckley et al.
Appellees.

And now on this 30th day of June 1893 this cause came on for decision upon the motion to affirm the judgment of the Court below. Thereupon it was ordered by the Court that said motion be overruled. Thereafter a stipulation was filed by the parties that answer to the assignments of error and briefs may be filed by Appellee by July 7, 1893 and appellant may file additional briefs, and that appellant was permitted to withdraw the record for the purpose of examination in the preparation of briefs. Thereafter the cause was argued by Amos Green Esq. and submitted for the consideration of the Court upon the record filed and briefs to be filed.

No 65 J. B. Hadley
Appellant
vs
C. G. Frost
Appellee

And now on this 30th day of June 1893 came J. H. Roper Esq. Counsel for appellee and asks leave of the Court for extension of time to file brief which was granted until July 20, 1893 when the cause may be submitted for consideration

No 90 R. M. Collier
Appellant
vs
The Territory of Oklahoma
Appellee

And on this 30th day of June 1893 this cause came on for hearing upon the call of the docket, and was submitted by Appellant's Counsel C. R. Reddick Esq upon the record and briefs filed

No 59 H. L. Bodine and
McFarland
vs
F. R. McKinnon.

And now on this 30 day of June A.D. 1893 Comes Samuel Murphy and Kerry Pentecost Administrators of the estate of Francis R. McKinnon deceased and enters their special appearance only for the purpose of filing a motion to dismiss the appeal herein. upon which motion the court after consideration doth sustain and it is ordered that the appeal be dismissed.

No. 82. William H. Dewart and
Barton Smith
Appellants
vs
Warren S. Lurty et al
Appellees

Be it remembered that on this 30th day of June A.D. 1893 by agreement of parties hereto it was ordered that this cause be continued until the January term 1894 of the Supreme Court

No 81 Berry Brothers
vs
George Smith.

Now on this 30th day of June 1893 this cause came on for decision upon the motion by appellee to affirm the judgment herein, whereupon it was ordered that said motion overruled after which the cause was argued on behalf of appellant by Amos Green Esq and submitted

Ira N. Terrill
Appellant
vs
The Territory of Oklahoma
Appellee

Be it remembered that on the 30th day of June 1893 It was ordered by the Court that the Clerk place this cause on the docket and the same be set down for hearing at this term of the Court.

In re
Allowing the accounts
of Will H. Clam Clerk
District Court

Whereas Will A. Clam Clerk of the District Court of the United States for the third judicial district of the Territory of Oklahoma residing at Oklahoma City has presented to the Court an account of his fees as Clerk from the first of January 1893 to the 30th day of June 1893 inclusive and in the presence of the United States Attorney in and for said Territory has proven on oath to the satisfaction of the Court that said District Court was opened and business actually transacted as presented in said account and that the services therein charged for have been actually and necessarily performed as therein stated and the same appearing reasonable and according to law.

It is therefore ordered that the said account amounting to the sum of $2010 be and the same is hereby approved.

In re
Approving the account of
Benj. F. Hegler Clerk of
the District Court

Whereas Benj. F. Hegler Clerk of the District Court of the second judicial District Territory of Oklahoma residing at El Reno in said District has presented to this Court an account of his fees as Clerk thereof from the 31st day of December 1892 to the first day of April 1893 and has proven on oath to the satisfaction of the Court that court was duly opened for the transaction of business and business actually transacted for each and every day for which he has charged a per diem fee in said account to wit: For Canadian County February 7. 8. 9. 10. 11. 13. 14. 15. 16. 17 and 18 (1893 Kingfisher County February 20, 21. 22. 23, 24. 25. 27. 28. and March 1. 2. 3. 4. 6. 7. 8. 9. 13. 14. 15. 16. 17 18. 20. 21. 22. 23, 24. 25. 30. 31. (1893) and that the services charged for in said account have been actually and necessarily performed, as therein stated and the same appearing reasonable and according to law and said report having been presented in the presence of Horace Speed U.S. Attorney who examined the same.

It is therefore by the Court ordered that said account in the sum of Six hundred and forty three 05/100 Dollars be and the same is hereby approved

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In re
approving the accounts of
Benj. F. Hegler Clerk
of the District Court

Whereas, Benj. F. Hegler Clerk of the District Court, 2d Judicial District Territory of Oklahoma, residing at El Reno in said District has presented to the Court his account of his fees as clerk thereof from the [illegible] day of April to the 30th day of June inclusive and has proven on oath to the satisfaction of the Court that Court was duly opened for the transaction of business and business actually transacted for each and every day for which he has charged a per diem fee in said account to wit: For Canadian County 1893 April 3. 4. 5. 6. 7. 8. 10. 11. 12. 13 14. 17 18. 19. 20. 21. 22. 24 25. 26, 27. 28. May 1. 2. 3. 4. 8. 11. 12. for Blaine County (formerly C.) June (1893) 1. 2. 3. 5. 6. For D. County May 1893) 23. 24. 25. 26 & 27. For Washita (H) [illegible] June 12, 13. 14. 15. and 16. For Beaver [illegible] May 1893 15. 16, 17 & 18. and that the ser-[illegible] charged for in said account have been [illegible] performed as therein [illegible] reasonable and [illegible] and having been [illegible] Speed U. [illegible]

[illegible] ordered that [illegible] of Six hundred and [illegible] and the same is

Lewie S. Tansberry
Plaintiff in Error
vs
The United States
Defendant in Error.

And now on this 30th day of June A.D. 1873 Comes Amos Green Esq and files his application for a Continuance in this Cause, and praying further the certiorari issue directing the Clerk of the District Court of Salt Lake County directing him to certify to this Court all the motions and affidavits filed in this cause in the Court below. which motion was taken under consideration by the Court

Thereupon by order of the Court proclamation thereof being made by the crier the Court adjourned until July 1st 1873 at 9 o'clock A.M.

Chief Justice

Attest
Clerk

United States of America }
Territory of Oklahoma }

In the Supreme Court June term 1893

Be it remembered that on this first day of July 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie

There was present Hon. E. B. Green Chief Justice, Hon J H Burford and Hon. Frank Dale Associate Justices, Horace Speed United States Attorney, Chas H Filson Clerk and James Blue Crier.

Public proclamation of the opening of the Court being made by the crier the following proceedings were had.

The Commission and oath of Office of Evett Dumas Nix as Marshal of the Territory of Oklahoma was presented in open Court Thereupon it was ordered by the Court that the oath of Office, Commission and bond of said Evett D. Nix as such Marshal be spread at large upon the journal of the Court

Grover Cleveland.
President of the United States.
To all who shall see these Presents, Greeting,

Know ye, That reposing special confidence in the Integrity, Ability and Diligence of E. D. Nix of Oklahoma Territory, I do appoint him to be Marshal of the United States for the Territory of Oklahoma and do authorize and empower him to execute and fulfil the duties of that Office according to Law and to have and to hold the said Office with all the powers privileges and emoluments thereunto legally appertaining unto him the said E. D. Nix until the end of the next session of the Senate of the United States, and no longer subject to the conditions prescribed by law.

In testimony Whereof I have caused these Letters to be made Patent and the seal of the Department of Justice to be hereunto affixed

Seal

Given under my hand at the city of Washington the 26th day of May in the year of our Lord one thousand eight hundred and ninety three and of the Independence of the United States of America the 117th

By the President Grover Cleveland
Richard Olney
Attorney General

United States of America
Territory of Oklahoma } ss.

I Evitt Dumas Nix, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto.

And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Evitt Dumas Nix.

Subscribed and sworn to before me this 15th day of July 1893.

E. B. Green
Chief Justice.

United States of America } ss.
Territory of Oklahoma }

I Evitt Dumas Nix, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Territory of Oklahoma under the authority of the United States, and true returns make, and in all things well and truly and without malice or partiality perform the duties of the office of Marshal of the Territory of Oklahoma during my continuance in said office and take only my lawful fees. So help me God.

Evitt Dumas Nix

Subscribed and sworn to before me this 15th day of July 1893.

E. B. Green.
Chief Justice

Know all Men by these Presents,

That we, Evett Dumas Nix as principal and Oscar D. Halsell, William A. Frazier, Louis A. Franklin, Junius Oldham as sureties, all of the foregoing named being residents of Guthrie, Logan County, Oklahoma Territory,
are held and firmly bound unto the United States of America in the full and just sum of Twenty thousand dollars, lawful money of the United States, to be paid to the United States: for which payment well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents. Signed with our hands and sealed with our seals this 24th day of June in the year one thousand eight hundred and ninety three.

The condition of the foregoing obligation is such that whereas the President of the United States hath, pursuant to law appointed the said Evett Dumas Nix to Marshal of the United States for the Territory of Oklahoma, to have and to hold the same with all the rights, privileges, and emoluments thereunto lawfully appertaining, from the First day of July 1893 until the end of the next session of the Senate of the United States and no longer, unless sooner removed therefrom, as by a Commission to him bearing date the 26th day of May 1893 more fully appears.

Now if the said Evett Dumas Nix by himself and by his Deputies shall faithfully perform all the duties of the said Office Office of Marshal, then this obligation to be void; otherwise to remain in full force and virtue.

Evett Dumas Nix (Seal)
Oscar D. Halsell (Seal)
William A. Frazier (Seal)
Louis A. Franklin (Seal)
Junius Oldham (Seal)

Signed, sealed and delivered in the presence of.
The words "until the end of the next session of the Senate of the United States and no longer" were inserted before the seal was attached.

C. M. Riley   John M. Hale
A. J. Houston   A. K. Van Voorhees
J. L. Russell.   L. N. Frazier

Territory of Oklahoma } S.S.
County of Logan }

I Oscar D. Halsell one of the sureties on the annexed bond being duly sworn depose and say that I am worth after paying my just debts the sum of Fifteen thousand dollars exclusive of property exempt from execution by the laws of the State in which I reside

Oscar D. Halsell

Subscribed and sworn to before me this 22 day of June A.D. 1893

E. B. Green.

Chief Justice

Territory of Oklahoma } S.S.
County of Logan }

I William A. Frazier, one of the sureties on the annexed bond being duly sworn, depose and say that I am worth, after paying my just debts, the sum of Fifteen thousand dollars exclusive of property exempt from execution by the laws of the State in which I reside

William A. Frazier

Subscribed and sworn to before me this 22d day of June A.D. 1893

E. B. Green. Chief Justice

Territory of Oklahoma } S.S.
County of Logan }

I, Louis A. Franklin one of the sureties on the annexed being duly sworn depose and say that I am worth after paying my just debts, the sum of Five thousand dollars exclusive of property from execution by the laws of the State in which I reside

Louis A. Franklin.

Subscribed and sworn to before me this 22 day of June A.D. 1893

E. B. Green.

Chief Justice.

Territory of Oklahoma } S.S.
County of Logan }

I Junius Oldham one of the sureties on the annexed bond being duly sworn depose and say that I am worth, after paying my just debts the sum of Three thousand dollars exclusive of property exempt from execution by the laws of the State in which I reside

Junius Oldham

Subscribed and sworn to before me this 22 day of June A.D. 1893.

E. B. Green. Chief Justice

I Chas. H. Filson do hereby certify that Edward B. Green Chief Justice who administered the above oath was at the time of doing so duly authorized to administer the same, and that full faith and credit are due to his official attestations, and that his signature is genuine

In testimony whereof I hereto set my hand and affixed the seal of Supreme Court this 26th day of June A.D. 1893

Chas H. Filson
Clerk Supreme Court

United States of America } SS.
Territory of Oklahoma }

I hereby certify that Evitt Dumas Nix as principal in this bond and Oscar D. Halsell, William A. Frazier Louis A. Franklin, James Oldham as sureties, as his sureties personally came before me and in my presence, and in the presence of each other and in the presence of T. G. Riley John M. Hale, A. H. Huston J. H. Van Voorhees J. L. Russell, L. McCrozier as witnesses, at Guthrie who were called as witnesses at Guthrie in the Territory of Oklahoma signed and executed said bond and that they declared under oath that they jointly and severally executed said bond for the purposes therein mentioned, and that they are bona fide residents and freeholders of said Territory and as Chief Justice of the Supreme Court of said Territory and duly qualified to act I hereby approve said Bond

Given under my hand and seal the day and year last above written.

E. B. Green
Chief Justice

United States of America }
Territory of Oklahoma }
In the Supreme Court June term 1893

Be it remembered that on this twentieth day of June in the year of our Lord one thousand eight hundred and ninety three the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie There was present Hon E. B. Green Chief Justice Hon J H Burford and Hon Frank Dale Associate Justices Horace Speed United States Attorney. E D Nix, Marshal Chas H Filson Clerk and James Bluce Crier of the Court.

Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

And now comes John Foster Esquire. moves the court to admit E. C. Burlingame of Guthrie as an Attorney and Counseller at Law, and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory, and having subscribed the oath required.

It is ordered by the court that the said E C Burlingame be and hereby is admitted to practice in the supreme and inferior courts of the Territory of Oklahoma.

And now comes John F. Stone Esq. Assistant United States Attorney for the Territory of Oklahoma. and moves the court to approve the accounts of Chas H Filson Clerk of the Supreme Court said accounts amounting to one hundred and fifty and 60/100 Dollars and the emolument returns as such clerk being presented in open Court

Thereupon it was ordered by the Court that said accounts be and the same is hereby approved.

No Orion C. Smith et al
Appellants
vs
The Bank of Kingfisher
Appellees

And now comes Geo. S. Green Esq Counsel for appellee and files his motion asking for an extension of ten days time in which to file supplemental briefs in this cause, which prayer was granted by the Court.

A. A. Farnham
Appellant
vs
The Walter A Wood
Mowing and Reaping Co
Appellees

Appeal from the
Probate Court of
Canadian County

Be it remembered that on this the 20th day of July 1893 this cause came up for decision having been submitted for the consideration of the Court upon the record and errors therein assigned and the briefs and abstracts filed and the Court being fully advised in the premises, doth find that in the judgment of the Probate Court of Canadian County there was not any errors in the manner and form as alleged by appellant and upon consideration thereof It is ordered by the Court that the judgment of the District Court of Canadian County be affirmed at the cost of appellant.
The opinion of the Court was delivered by Hon J H Burford Associate Justice. The other Justices concurring. Said opinion will be found at page , Opinion Book

Walter E Frick
Appellant
vs
The United States
Appellee

Be it remembered that on this 20th day of July 1893 this cause came on for decision the same having been argued and submitted to the Court on the record and the Court being fully advised in the premises, It is therefore ordered and adjudged that the judgment of the District Court of Logan County be affirmed with costs and that the execution of said District Court be carried into effect.
The opinion of the Court was delivered by Hon Frank Dale Associate Justice, The other Justices concurring and will be found at page , Opinion Book

No 43 Noah Rich
Appellant
vs
The United States
Appellee

} Appeal from the District Court of Oklahoma County

Be it remembered that on this 20th day of July, 1893 this cause came on for decision, the same having been duly argued, and submitted on the transcript of the record and briefs. and the Court being duly advised in the premises, It was thereupon ordered and adjudged that the judgment of the District Court of Oklahoma County be reversed and the cause remanded with directions to grant a new trial,

The opinion of the Court was delivered by Hon. E. B. Green, Chief Justice, the other Justices concurring and said opinion will be found entered at large at page , Opinion Book A.

William L. Bradford
Appellant

vs

The Territory of Oklahoma
ex rel. J H Wood County Attorney
of Oklahoma County.
Appellees,

Be it remembered that on this the 20th day of July, 1893 this ~~cause~~ cause came on for decision, the same having been argued and submitted for the consideration of the court and the court being fully advised in the premises It is ordered and adjudged that the judgment of the District Court of Oklahoma County be reversed and the cause remanded with directions to grant a new trial,

The opinion of the Court was delivered by Hon. J H Burford. Associate Justice all the Justices concurring and the same will be found entered at large at page . Opinion Book A.

No 46 E. S. Jaffray and Co.
Appellants
vs
W. F. Wolf and Co.
App.

Appeal from the District Court of Logan County.

Be it remembered that on this the 20th day of July 1893 this cause came on for decision and the court being fully advised in the premises on consideration thereof doth find that in the record and proceedings of the District Court and the judgment therein contained, there is not any error in manner and form as alleged in the assignment of errors.

It is, therefore, considered by the court that the judgment of the District Court of Logan County be and the same is, in all things affirmed: and that the appellants herein pay the costs of this Court to be taxed by the Clerk and hereof let execution issue.

The opinion of the Court was delivered by Hon Frank Dale, Associate Justice, The other Justices concur.

Said opinion will be found at large at p.. , Opinion Book A.

No. 70 Grant Stanley,
Appellant
vs
The United States
Appellee

Appeal from the District Court of Oklahoma County.

Be it remembered that on this the 20th day of July 1893 this cause came on for decision and the Court being fully advised in the premises it is ordered and adjudged that the judgment of the District Court be reversed with directions to the Marshal of The Territory of Oklahoma, to discharge the prisoner from custody.

The Opinion of the Court was delivered by Hon J. H. Burford, Associate Justice, The other Justices concurring.

Said opinion will be found entered at large at page , Opinion Book A.

No 64 The town of Stillwater
Appellant
vs
John Moore
Appellee

Appeal from the
District Court of
Payne County

Be it remembered that on this the 20th day of July 1893 this cause came on for decision, the same having been argued and submitted on the transcript of the record and errors therein assigned, and the court being fully advised in the premises, on consideration thereof doth find that there is not any error in the judgment of the District Court in manner and form alleged in said assignment of errors.

It is, therefore ordered and adjudged that the judgment of the District Court of Payne County be and the same is in all things affirmed, and that the appellants herein pay the costs of this court to be taxed by the Clerk and hereof let execution issue.
The opinion of the Court was delivered by Dale, J.
The other Justices concurring.
Said Opinion will be found at page , Opinion Book A. entered at large.

No. Harry Wellman
Plaintiff in error
vs
The Territory of Oklahoma
Defendant in error

And now comes Geo. S. Green Esq counsel for Plaintiff in error and asks leave of the Court for an extension of time in which to file briefs in this cause.

Thereupon by order of the Court proclamation thereof being made by the crier the court adjourned until the 21st day of July 1893 at 10 o'clock

Attest
[illegible]
Clerk

Chief Justice

United States of America }
Territory of Oklahoma }
In the Supreme Court June term 1893

Be it remembered that on this 21st day of July 1893, the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie, in said Territory, being one of the judicial days of the June term of said Court.

There was present Hon. E. B. Green Chief Justice Hon. J. H. Burford and Hon Frank Dale Associate Justices Horace Speed Esq United States Attorney, Chas. H. Filson Clerk and James Black Bailiff. Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

And now comes W H [illegible] Esq and moves the Court to admit E. J. Saddler as an Attorney and Counsellor of Law and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath required.

It is ordered by the Court that the said E. J. Saddler be and hereby is enrolled as an attorney of this court.

No

W. A. Rice et al
Appellants
vs
J. B. West
Appellees
} Appeal from Canadian County

Be it remembered that on this the 21st day of July 1893 this Cause Came on for decision and the Court being fully advised in the premises. It is therefore ordered and adjudged that the judgment of the District Court of Canadian County be modified, and that said judgment be reversed in so far as it relates to restitution of the premises described in the Complaint of Plaintiffs below and affirmed for the sum of money awarded plaintiffs as damages: and that costs in this Court accrued be divided equally between the par- to this suit and hereof let execution issue

The opinion of the court was delivered by Dale J. The other Justices concurring.
Said opinion will be found entered at large at page
Opinion Book A.

James T. Hadley
Appellant } Petition for rehearing
vs
John Ullrich }
Appellee

And now on this 21st day of July 1893 this Cause came on for decision upon the petition by appellee for rehearing. Thereupon it was ordered and adjudged that said petition be denied.

The order of the Court was delivered by Dale J. The other Justices concurring.
Said opinion is entered at large at page
Opinion Book A.

The Bank of New Vienna Ohio
vs }
A. M. McAlkinney Mayor et al the Council of the City of Guthrie, Oklahoma Ter }

And now comes H. S. Cunningham Esq. Counsel for petitioner and presents his duly verified petition, praying that a writ of mandate issue out of the Supreme Court commanding the defendants herein to issue certain warrants of the city of Guthrie, allowed and certified against said city by the Judge of the District Court of Logan County in said Territory, and the Honorable [illegible] Associate Justice of the Supreme Court having directed the Clerk of the Supreme Court to issue an alternative writ of mandate requiring said defendants to issue the warrants to the relator described in said order or to appear before this Court on July 20th AD 1893 and show good cause why they do not do so. And issues being joined this Cause came on for hearing and was argued on behalf of the petitioner by H. S. Cunningham Esq. and upon behalf of the defendants by C. L. [illegible] Esq. and was submitted and taken under consideration by the Court

In re.
Fixing the dates for holding
terms of the District Court
in certain Counties in the
Second Judicial District

It is ordered by the Court.

That a term of the District Court be held at Cheyenne in Roger Mills County commencing on the first Tuesday in September A.D. 1893.

That a term of the District Court be held at Arrapahoe in G County commencing on the Third Tuesday in September 1893

That a term of said District Court be held at Ioland in F County commencing on the first Tuesday in November A.D 1893.

It is further ordered that the September term of the District Court in Beaver County be abolished and the order heretofore made providing for said September term of Court in Beaver County is hereby vacated. And the Clerk of this Court is directed to transmit certified copies of this order to the Clerk of the District Court in each of the Counties of the Second Judicial District.

It is further ordered that the time of the commencement of the Fall term of the District Court in Canadian County be changed from the Second Monday in November to the third Monday in November of each year, and all writs summons, orders and rules made returnable on the first day of said term or during the first week thereof are hereby made returnable to the first day and week of the term as herein fixed

Thereupon the Court proclamation thereof being made by the crier, is adjourned until July 22. 1893 at 10 o'clock

Chief Justice

Attest
C H Filson Clerk

United States of America
Territory of Oklahoma
In the Supreme Court, June Term 1893.

Be it remembered that on the 22d day of June A.D. 1893 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the city of Guthrie, Being one of the judicial days of the June term of the court. There were present Hon E. B. Green Chief Justice Hon. Frank Dale associate justice, John F. Stone Esq assistant United States attorney. Chas H Filson Clerk and James Blue Crier.

Public proclamation of the opening of the Court being made by the Crier the following proceedings were had.

And now comes John Foster Esq and moves the court to admit Fred M. Beale Esq of Guthrie as an attorney and Counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Court and having subscribed the oath required

It is ordered by the court that the said Fred M. Beale be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes A. H. Bradley Esq and moves the Court to admit John A. Neelan of Guthrie as an attorney and counsellor of Law, and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Courts of the Territory and having subscribed the oath.

It is ordered by the Court that the said John A. Neelan be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory.

And now comes A. G. C. Bierer Esq and moves the court to admit C. J. Wrightsman of Tecumseh as an attorney and counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Courts of said Territory and having subscribed the oath required

It is ordered that the said C. J. Wrightsman be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

The Bank of Nicolennis }
vs }
A. M. McKinny Mayor }
and the Council of the City }
of Guthrie Okla. }

And now on this 2d day of June this cause came on for decision having been argued before the Court and the Court being fully advised in the premises. It is therefore ordered and adjudged that the writ of mandate prayed for be denied, and as in words and figures viz:

Per Curiam:

This is an application for a peremptory writ of Mandamus to compel the Mayor and City Council of the City of Guthrie to issue to the relator warrants as provided in section 4, of article 1 of Chapter 14 of the Oklahoma Statutes.

The petitioner shows that the claim for which warrants are demanded was allowed and approved by the district court of Logan County on a report of a commission appointed under the provisions of that act to pass upon and allow the claims against Guthrie, East Guthrie, West Guthrie and Capitol Hill; and the respondents make return to the alternative writ that they have prayed and are perfecting an appeal to this court from the order of the district court allowing and approving the claim of the relator; and the only question presented for our consideration is whether such appeal will lie or not.

It was held in the case of The Territory ex rel Lacey v. The Mayor and City Council of the City of Guthrie 1 Okla Rep - ; that the report of the commission was to be made to the district court as a court; and it follows that an an order of such court, allowing and approving a claim contained in such report, is an order of the court and not of the district judge, and is a final order to all intents and purposes; and while the Legislature did not intend to give an appeal from such final order to this court, it seems clear, that such appeal is given by the provisions of section 9 of the Organic Act, which are: "Writs of error, bills of exception, and appeals shall be allowed in all cases from final decisions "of said district court to the Supreme Court under such regulations as may be prescribed by law, but in no case removed to the Supreme Court shall trial by jury be allowed in said court."

The Organic Act is the supreme law of the Territory and must control; and either party may have and perfect an appeal from an order of the district court of Logan county, allowing or disallowing a claim, to this court for the purpose of having such order reviewed and corrected if erroneous; and in the exercise of the right of appeal each claim allowed or disallowed must be regarded as independent of all others, and as a separate suit or action.

As respondents are entitled to take and perfect an appeal to this Court from the order of the district court, it follows that the peremptory writ of Mandamus should be denied.

Writ denied

United States of America } SS
Territory of Oklahoma }
In the Supreme Court. Jan: term. 1893

Be it remembered that, on this the 19th day of August A.D. 1893 the Supreme Court of the Territory of Oklahoma met, pursuant to adjournment in the City of Guthrie in said Territory. There were present, Hon. E. B. Green Chief Justice, Hon J H Burford Associate Justice C. A. Galbraith, Attorney General of the Territory Chas. H. Filson Clerk and James Bucy, Crier.

Public proclamation of the opening of the opening of the court being made by the Crier the following proceedings were had.

And now comes A G C Bierer. Esq and moves the Court to admit George E. Clayton of Waterloo as an Attorney and Counsellor of Law, and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of the Territory, It is ordered by the court that the said George E. Clayton be enrolled as an attorney of this court.

And now comes John Foster Esq and moves the Court to admit David P. Marum of Fort Supply, Ok T. as an attorney and Counsellor of Law and the applicant presenting to the court satisfactory evidence of his admission to practice in the District Court of the Territory and having subscribed the oath required.

It is ordered by the Court that the said David P. Marum be and hereby is admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes Esq and moves the Court to admit John A. Sample as an attorney and counsellor of Law, and the applicant presenting to the Court satisfactory evidence of his admission to practice in the District Court of Logan County and having subscribed the oath required.

It is ordered by the Court that the said John A. Sample be and hereby is admitted to practice in the Supreme and inferior Courts of the Territory of Oklahoma

[illegible]
Appellant
vs
The Territory of Oklahoma
Appellee

Appeal from the
Payne County
District Court

And now on this seventeenth day of August 1893 this cause comes on for decision upon the motion by appellee to dismiss the appeal herein and the Court upon consideration thereof doth order that said motion be sustained and the appeal in this cause be and hereby is dismissed. It is further ordered that the judgment and sentence of the District Court of Payne County be carried into execution and the clerk of this court is ordered to transmit a copy of this order forthwith to the clerk below.

No

Clay Peters
Appellant
vs
The United States
Appellee

Appeal from the
District Court of
Oklahoma County.

And now on this seventeenth day of August A.D. 1893 being one of the judicial days of the June term of this Court and this cause having been argued and submitted on the record and errors assigned and the Court being fully advised in the premises, on consideration thereof doth find that in the record and proceedings of the District Court and the judgment therein contained there is not any error in manner and form as alleged in said assignment of errors.

It is, therefore, considered by the court, that the judgment of the said District Court of Oklahoma County be and the same is in all things affirmed, and that said judgment be carried into execution by the said District Court and that the plaintiff in error herein pay the costs of this Court to be taxed by the clerk and that execution issue.

The opinion of the Court was delivered by Burford, J. Green, C.J. concurring, Said opinion is recorded at [illegible] at pages , Opinion Book

No Thomas Richhart and
John Sargent
Plaintiffs
vs
G. H. Parker Auditor
of the Territory of Oklahoma
Defendant } Application for a writ of Mandate

And now on this 17th day of August, 1893 this cause came on for hearing, whereupon upon agreement of the parties hereto, the cause was passed and by order of the Court was continued to the next meeting of the Court.

No 40 E. S. Jaffray and Co.
Appellants
vs
Wm F. Wolf & Son
Appellees

And now comes A. C. G. Bierer Esq counsel for Appellants and files his petition for a supersedeas, and that the judgment be suspended pending a rehearing in this cause.

Also came J. L. Overstreet Esq counsel for Burnham Hanna Munger and Co. and files his motion asking leave of the court to appear and protest against the granting of the supersedeas prayed for by appellants, which motions were taken under consideration by the Court.

Grant Stanley
vs
The United States. On re-hearing.

Be it remembered that on this 17th 17th day of August 1893 this cause came on for decision upon the motion of Horace Speed Esq. United States Attorney, and the court being fully advised in the premises doth order that said petition be overruled. The opinion of the Court was delivered by Burford J. Green C.J. concurring. Said opinion is recorded at large at page 1, Opinion Book A.

Thereupon it was ordered by the Court Proclamation thereof was made as follows that the Supreme Court be adjourned until October 7th 1873 at ten o'clock

United States of America } ss.
Territory of Oklahoma }

In the Supreme Court Sept term 1893

Be it remembered that on this the thirtieth day of September in the year of our Lord One thousand eight hundred and ninety three the Supreme Court of the Territory of Oklahoma met in special session in the City of Guthrie. There were present Hon. E. B. Green, Chief Justice, Hon. J. H. Burford and Hon. [illegible] Associate Justices, C. A. Galbraith Esq. Attorney General of said Territory, E. D. [illegible] Marshal and C. H. Filson Clerk.

Public proclamation of the opening of the Court being made by the Marshal the following proceedings were had:

Upon Henry W. Scott presenting to the Court his commission from the President of the United States appointing him Henry W. Scott Associate Justice of the Supreme Court of the Territory of Oklahoma, and said commission bearing the seal of the Department of Justice, the oath of office was then and there delivered by Hon. J. H. Burford Associate Justice and he entered upon the discharge of his duties as Associate Justice of said Territory.

Upon Frank Dale presenting to the Court his commission from the President of the United States appointing him Frank Dale as Chief Justice of the Supreme Court of the Territory of Oklahoma, and said commission bearing the seal of the Department of Justice of Justice, the oath of office was then and there delivered and by Hon. E. B. Green Chief Justice and said Frank Dale entered upon the discharge of his duties as Chief Justice of the Supreme Court of said Territory.

It was ordered by the Court that the Commissions and oath of office of Hon. Frank Dale as Chief Justice and Hon. Henry W. Scott Associate Justice be spread at large upon the journal of this Court and that the Clerk forward a copy of the oath of office in each case to the Department of Justice at Washington, and that a copy of said oath of office duly certified to be sent by the Clerk to the Secretary of the Territory of Oklahoma to be there recorded.

[illegible] now comes J. C. [illegible] and on behalf of the Bar Association of the Territory of Oklahoma moves the Court that the Honorable E. B. Green be admitted to practice as an Attorney and Counsellor of Law.

Thereupon it was ordered by the Court that said E. B. Green be admitted to practice and that his name be placed at the head of the roll of the Attorneys in this Court.

In re
Attaching the Counties of the Territory of Oklahoma as organized into the several Judicial Districts of said Territory, and designating the Judges who shall preside therein.

It is ordered by the Court

That the First Judicial District of the Territory of Oklahoma shall be comprised of the Counties of Logan, Payne, K. P. and Q and the unorganized Indian Countries as heretofore attached by the orders of the Supreme Court, and Hon. Frank Dale Chief Justice is hereby assigned to said First Judicial District to preside as District Judge.

That in addition to the Counties and Indian Countries heretofore attached to the Second Judicial District of the Territory of Oklahoma by the several orders made by the Supreme Court the Counties of L and O are hereby attached to the said Second Judicial District, and Hon. John H. Burford, Associate Justice is hereby assigned to said Second Judicial District to preside therein as District Judge.

That in addition to the Counties comprising the Third judicial district of said Territory, as fixed by the several orders of the Supreme Court heretofore made, the Counties of Lincoln, [illegible] and [illegible], are hereby attached to said Third judicial district of the Territory of Oklahoma, and Hon. Henry W. Scott, Associate Justice of the Supreme Court, is hereby assigned to preside therein as District Judge.

Grover Cleveland

President of the United States of America

To all who shall see these presents Greeting:

Know Ye, That reposing special Trust and Confidence in the Wisdom, Uprightness and Learning of Frank Dale of Oklahoma Territory, I have nominated and by and with the advice of the Senate do appoint him Chief Justice of the Supreme Court of the Territory of Oklahoma and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Frank Dale for the term of four years from the day of his entering [illegible] subject to the conditions and provisions prescribed by law.

In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal

Given under my hand at the City of Washington the 2d day of September in the Year of our Lord one thousand eight hundred and ninety three and of the Independence of the United States of America the one hundred and eighteenth.

By the President:

Grover Cleveland.

Richard Olney

Attorney General

United States of America } ss.
Territory of Arizona }

I, Frank Dale, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Frank Dale

Sworn to and subscribed before me this 30th day of September 1873.

E. B. Gunn,
[illegible] Justice

Grover Cleveland
President of the United States of America
To all who shall see these Presents Greeting:
Know Ye That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Henry W. Scott of Oklahoma Territory, I have nominated and by and with the advice and consent of the Senate do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the United States and to have and to hold the said Office with all the powers privileges and emoluments to the same of right appertaining unto Him, the said Henry W. Scott for the term of four years from the day of the date hereof, subject to the conditions and provisions prescribed by Law

In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal

Given under my hand at the City of Washington the 19th day of September in the year of our Lord one thousand eight hundred and ninety three and of the Independence of the United States of America the one hundred and eighteenth

By the President
Grover Cleveland

Richard Olney
Attorney General

United States of America ss
Territory of Oklahoma

I, Henry W. Scott, do solemnly swear that I have never borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, Associate Justice of the Supreme Court of Oklahoma Ter. So help me God.

Henry W. Scott

Sworn to and subscribed before me this 30th day of September, 893.

Jno. H. Burford
Associate Justice

Thereupon, by order of the Court proclamation having been made by the Crier, Court was adjourned until October 4, 893 at 10 o'clock.

Chief Justice

Attest
Chas. H. Filson
Clerk

United States of America }
Territory of Oklahoma } S S

In the Supreme Court June Term 1893.

Be it remembered that on this the seventh day of October in the year of Our Lord One thousand Eight hundred and ninety three, the Supreme Court of the Territory of Oklahoma met in special session in the City of Guthrie.

There were present Hon Frank Dale Chief Justice Hon John H. Burford and Hon Henry W. Scott Associate Justices, C.A. Galbraith Esqr. Attorney General of said Territory, E.D. Nix Marshall and C.H. Filson Clerk.

Public Proclamation of the opening of the Court being made by the Marshall the following proceedings were had,

And now comes Hon E.B. Green and moves the Court to admit Stephen K. Van Voorhees of Guthrie O.T. and Byron M. Henderson of Guthrie O.T. as attorneys and counsellors at law. The applicants upon presenting to the Court satisfactory evidence of their admission to practice in the District Court of the Territory. It is ordered by the Court that the said Stephen K. Van Voorhees and Byron M. Henderson are hereby admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

And now comes C.R. Redick Esqr and moves the Court to admit George P. Uhl of Stillwater Payne Co. O.T. as an attorney and Counsellor at Law. The applicant upon presenting to the Court satisfactory evidence of his competency and upon taking the requisite oath It is ordered by the Court that said George P. Uhl be admitted to practice in the Supreme and Inferior Courts of Oklahoma Territory.

And now comes George S. Green Esqr. and moves the Court to admit Samuel S. Spencer of Perry "P" Co. O.T. as an atty and counsellor at law. The applicant upon submitting to the Court satisfactory evidence of his competency and ability and upon taking the prescribed oath, It is hereby ordered by the Court that the said Samuel S. Spencer is be admitted to practice in the Supreme and Inferior Courts of Oklahoma Ty.

And comes now and moves the Court to admit N.E.H. Nearey of Guthrie Logan County Oklahoma Territory as an Attorney and Counsellor at Law. The applicant upon proving to the Court his competency It is ordered by the Court that the said N.E.H. Nearey be admitted to practice in all the Courts of Oklahoma Territory.

In re;
Designating time for sessions of the District Court in various Counties of the First Second and Third judicial districts

Be it remembered that on this the ninth day of October in the year of our Lord One thousand Eight hundred and ninety three it is ordered that the time set for holding terms of the District Court in the First judicial district be as follows—

At Stillwater In Payne County, the second Tuesday in November 1893—
At Perry in "P" County the second Monday in December 1893—
At Santafe in "K" County the first Monday in February 1894—
At Guthrie in Logan County the first Tuesday in March 1894—
At Pawnee in "Q" County the third Monday in February 1894—

In the second judicial district as follows—
At Enid in "O" County the Fifth Monday in October 1893—

In the third judicial district as follows—
At Chandler in Lincoln County the First Tuesday in February 1894—
At Alva in "M" County the Fourth Tuesday in February 1894—
At Woodward in "N" County the second Tuesday in February 1894—

And the Clerk of this Court is hereby directed to make and transmit a certified copy of this order to the District Clerks of the several Counties affected by this order.

10 Clay Peters
Appellant
vs
United States
Appellee

And now on this seventh day of October 1893 comes C R Redick Esqr. and asks the Court for time in which to prepare and file additional briefs and for leave to argue orally and that supersedeas issue pending the determination of this cause of action by the Court.

It was thereupon ordered by the Court that time be given until November 15th 1893 for the filing of such briefs.

It was further ordered by the Court that fifteen days be given appellee in which to file replies to said briefs.

The Court denies application for oral argument and orders that supersedeas be continued.

10 Cuthbert W. Sargent
Appellants
vs
Parker
Appellee

And Comes now Geo. D. Green Esqr and moves the dismissal of above entitled cause and it is so ordered.

No 10.

Colhier
Appellant
vs
Territory of Oklahoma
Appellee

Comes now J R Keaton Esqr. and asks for extension of time to perfect record. Motion is conferred and allowed and the case continued until next term

No 56

Francis A Mc Kennon
Appellant
vs
Harvey H Winn
Appellee

Comes now J M Elkins Esqr. and asks leave to file motion to dismiss petition for rehearing and it is so ordered

No 46

E S Jaffrey and Co
Appellant
vs
W F Wolf and Co
Appellee

Comes now J W Wisby Esqr and files 5 additional briefs in above cause. Bierer and Cunningham ask for time in which to reply to briefs and are given until Nov. 1st 93. in which to reply. Application being made to the Court for oral argument in the matter of a rehearing in above cause. the same is denied by the Court

Territory of Oklahoma
John R Clark
Appellant
vs
J C Quien
Appellee

In the Supreme Court

Motion to quash the alternative writ of mandamus

Comes. now the above named J C Quien defendant by his attorneys Amos E. Overstreet J C Roberts C O Blake and Harper S. Cunningham and appearing specially for the purposes of this motion only and moves the Court now here to set aside and quash the so called alternative writ of mandamus heretofore issued by Hon Henry W Scott Associate Justice. for the following reasons: viz:

First [illegible] writ is not in

alternative writ of Mandamus because the same does not conform to the law in that it does not run in the name of the Territory of Oklahoma as required by Section 4607 Statutes of Oklahoma for 1893.

Second. For that said process is not signed and authenticated as required by law.

Third. For that said process was not endorsed as "allowed" by the Judge granting it as required by law

Fourth. For that no valid process has ever been served on said defendant in this case.

Fifth. For that said Court has no jurisdiction of the subject matter of this action because the same was not commenced and is not governed by the law of the subject of Mandamus which existed at the date of the date of the passage of the Organic Act and was not begun under and by virtue of the Statutes of Oklahoma, approved March 10th 1893 -

Sixth. For that the plaintiff has a plain and adequate remedy at law.

The above motion having been considered by the Court the same was sustained as to the second third and fourth causes. On the second grounds for the reason that the Statutes are mandatory and not having been complied with the application is void.

Judge Scott dissenting from above.

Territory of Oklahoma
F Carruthers
Appellant
vs
Amos A Ewing
Appellee

In the Supreme Court

Motion to quash the Alternative writ of Mandamus.

Comes now the above named defendant Amos A Ewing by his Attys A.F. Overstreet J.C. Roberts Harper S. Cunningham and C.O. Blake and appearing specially for the purposes of this motion only and moves the Court now here to set aside and quash the socalled Alternative Writ of Mandamus heretofore issued by Hon Henry W. Scott. Associate Justice for the following reasons: viz:

First. For that said reported writ is not an alternative writ of Mandamus because the same does not conform to the law in that it does not run in the name of the Territory of Oklahoma as required by Section 4607 Statutes of Oklahoma for 1893.

Second.
For that said process is not signed and authenticated as required by law.

Third.
For that said process was not endorsed as "allowed" by the Judge granting it as required by law.

Fourth.
For that no valid process has ever been served on said defendant in this case.

Fifth.
For that said Court has no jurisdiction of the subject matter of this action because the same was not commenced and is not governed by the law of the writ of Mandamus which existed at the date of the passage of the Organic Act and was not begun under and by virtue of the Statutes of Oklahoma approved on March 10th 1893.

Sixth.
For that the Plaintiff has an adequate remedy at law

The above motion having been considered by the Court the same is sustained as to the Second third and fourth causes – associate Justice Scott dissenting

Comes now C A Galbraith Esqr Atty General for Oklahoma Territory and C R Redick Esqr and move the Court to dismiss the case of Clark vs Green – the same is so ordered by the Court and said case is dismissed without prejudice

F. Carruthers
Appellant
vs
Silas A Ewing
Appellee

An alternative writ is ordered issued by the Clerk in this case – said writ made returnable on or before Dec 1st 1893 – The Court orders also that the issues in this case be made up by Dec. 15th 1893 –

In Re
Of the appointment of the
Clerk of the Supreme Court

The Court announces the resignation of Charles H Filson as Clerk of the Supreme Court for the Territory of Oklahoma and the appointment of Edgar W. Jones to said position is also ordered and announced.

Edgar W. Jones Clerk of the Supreme Court of Oklahoma filed the following Bond which was ordered spread at large upon the records of the Court.

Know all men by these Presents

That we Edgar W. Jones Wm Blincoe George A. Jasper I.J. Lowe Junius Oldham W.S. Spencer J.B. Beadles are firmly bound unto the United States of America in the penal sum of Five thousand Dollars for the payment of which we bind ourselves our heirs executors and administrators.

The Condition of the above Obligation is: that whereas the above bound Edgar W. Jones has been appointed Clerk of the Supreme Court of Oklahoma Ty.

Now, if the said Edgar W. Jones shall render a true account of his office and of the doings therein to the proper authority, when required thereby or by law and shall promptly pay over to the person or officers entitled thereto all the money which may come into his hands by virtue of the said office belonging to said United States and shall faithfully account for the balances of money remaining in his hands at the termination of his office and shall hereafter exercise all reasonable diligence and care in the preservation and lawful disposal of all money, books, papers, and sureties or other property appertaining to his said office and deliver them to his successor or to any person authorized to receive the same, and if he shall faithfully and impartially without fear or favor fraud or oppression, discharge all other duties now or hereafter required of his office by law, then this bond to be void, otherwise in full force

Signed this seventh day of October 1893.

Edgar W. Jones
Wm Blincoe
George A. Jasper
I.J. Lowe
Junius Oldham
W.S. Spencer
J.B. Beadles

The Territory of Oklahoma } ss
Logan County }

I solemnly swear that I will support the Constitution of the United States and the Organic Act and laws of the Territory of Oklahoma and that I will faithfully and impartially discharge the duties of the office of Clerk of the Supreme Court for Oklahoma Territory according to the law and the best of my ability so help me God.

Edgar W. Jones

Subscribed and sworn to before me this seventh day of October 1893.

Frank Dale Chief Justice

In Re:
The admission of Attorneys
to practice in the District
and Supreme Court of Oklahoma

Comes now Geo S. Green Amos Green and W.A. McCartney Esqs. and submit the following to the Court, which is ordered spread upon the Court records.

To the Honorable Supreme Court of the Territory of Oklahoma
We the Committee appointed by the Territorial Bar Association on rules, respectfully beg to report at this time that

Whereas numerous applications for admission to the bar have been made and our attention having been called to the matter after an examination of the Statutes are of the opinion that the admission of such candidates cannot be covered by the rules of the Supreme Court but is placed wholly in the discretion of the Judges of the District Courts.

We recommend and ask that the Judges of the District Courts in their respective districts require each and every applicant to undergo an examination in open Court and that hereafter no person shall be admitted to practice in the Supreme Court without first having been admitted to practice in the District Court of the Territory.

We further recommend and ask that the Judges agree on a uniform system of rules throughout the Territory.

Geo S Green
Amos Green
WA McCartney.
Committee

The Court announces and orders that the above recommendations be and are adopted and put into practice from this date.

In Re
Resolutions of respect for
Hon E B Green Ex Chief Justice

It is ordered by the Supreme Court of the Territory of Oklahoma that the following Resolutions be spread upon the records of this Court

The Hon E B Green having recently retired from the bench of the Territory after serving in the capacity of Chief Justice for a period of nearly four years We as the Judges of this Court as at present Constituted desiring to place on record our high appreciation of the services rendered to the Judiciary and Territory of Oklahoma by the eminent jurist take pleasure in stating that Judge Green has in all respects filled the high and honorable position of Chief Justice of Oklahoma in a manner well calculated to reflect great credit upon the bench of Oklahoma.

That he has fairly and energetically met all of the many perplexing questions which have so frequently beset the pathway of the Courts, and that his great erudition and conspicuous legal ability have illumined the pages of the early decisions of the Courts of Oklahoma to an extent which will greatly assist those following after him.

We also wish to testify to the high personal regard which is entertained toward him by the present Judges of this Court and to congratulate ourselves and the bar of Oklahoma that he will continue his residence among us and engage in the practice of law in Oklahoma and that we will thereby be enabled to still profit by the exalted conception with which all legal questions are considered by a mind so peculiarly well qualified to understand the law.

Frank Dale.
Chief Justice

The Bar of the Supreme Court presented the following Resolutions which were ordered spread upon the Court Journal.

Whereas, the Hon Edward B. Green who has presided over the Supreme Court of the Territory of Oklahoma and the district Courts of the First judicial district from the organization of the Territory until the present time, has retired from the bench by resignation and given place to his successor: and Whereas, the members of the bar who have practiced before him in said courts desire to express their appreciation of our late Chief Justice, both as a Judge and as a man, therefore, be it by the Logan County bar Association, Resolved that in the Hon Edward B. Green we recognize the honest hardworking painstaking conscientious judge ever alert to the discharge of his official duties careful of the interests of parties litigant in causes before him ever anxious that the very right prevail and that justice be meted out according to law, at all times courteous kind and forbearing to members of the bar and officers of his court, in short the best type of the American Judge

Resolved, that as an appreciation of Judge Green's learning and ability as a lawyer and a judge, the bar association of Logan County ask that these resolutions be spread upon the records of the Supreme Court of this Territory

September 30th 1893-

Harper S. Cunningham
George S. Green
John Foster

Henry E. Asp
Joseph Wisby

Territory of Oklahoma.

Be it remembered that on this second day of January, in the year of our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the city of Guthrie in said Territory, being the first day of the January term of said Court and there being no quorum present, it was ordered by the Honorable Frank Dale, Chief Justice of said Court that the said Court be adjourned until Wednesday January third Eighteen hundred and ninety four at four O'clock P M. and it was so proclaimed

Chief Justice

Attest

Clerk

United States of America }
Territory of Oklahoma }

Be it remembered that on this third day of January in the year of our Lord one thousand eight hundred and ninety three, the Supreme Court met pursuant to adjournment at the City of Guthrie, being the beginning of the January term of said Court.

There was present Honorable Frank Dale Chief Justice presiding, Honorable John H. Burford & Honorable Henry W. Scott Associate Justices, Horace Speed Esq United States Attorney, E. D. Nix Marshal of said Territory, C. A. Galbraith Esq, Attorney General, Edgar W. Jones Clerk and Crier.

Public proclamation of the opening of the Court being made by the Crier, the following proceedings were had.

Comes now Green Esqr and moves the Court that Chas M. Fechheimer of the Wichita Kansas bar be admitted to practice in the Supreme Court of Oklahoma Territory.

The applicant upon submitting to the Court satisfactory evidence of his competency and ability and upon taking the prescribed oath it is hereby ordered by the Court that the said Chas. M. Fechheimer be admitted to practice in the Supreme and Inferior Courts of Oklahoma.

Comes now C R Buckner and moves the admission of John C. Foster to practice in the Supreme Court of Oklahoma Territory.

The applicant after satisfying the Court as to his competency and ability and the prescribed oath having been administered, it is ordered that he be admitted to practice in the Supreme and Inferior Courts of this Territory.

In re

Approving the accounts of Thos. G. Risley
Clerk of the Dist. Court First Judicial District.

United States of America
Territory of Oklahoma } SS

In the Supreme Court of the Territory of Oklahoma

Be it Remembered that on this the 3rd day of January A.D. 1894 the Supreme Court of the Territory of Oklahoma convened in the City of Guthrie County of Logan in said Territory pursuant to adjournment and was then opened for the actual transaction of business by the proclamation of the Court Crier. Present Hon Frank Dale Chief Justice presiding Hon John H. Burford and Hon Henry W. Scott Associate Justices. Hon Horace Speed United States Attorney — E. D. Nix United States Marshal

Edgar W. Jones Clerk and W. M. Frazier acting Court Crier

Among other proceedings had and done were the following to-wit:
Whereas Theodore G. Risley late Clerk of the U.S. District Court of the Territory of Oklahoma residing at Guthrie in the County of Logan and said District and Territory of Oklahoma has on the 3rd day of January A.D. 1894 presented in open Court an account of all his fees and emoluments as such Clerk from the first day of July A.D. 1893 to the 3rd day of September A.D. 1893 and in the presence of Hon Horace Speed U.S. Attorney has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing in all things reasonable and just and according to law it is therefore considered ordered and adjudged by the Court that the said account amounting to the sum of Five hundred forty five and 10/100 ($545.10) be and the same is hereby approved

Frank Dale
Chief Justice

Whereof by order of the Court proclamation being made by the Crier the Court adjourned until the fourth day of January 1894 at 10 A.M.

Chief Justice

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the fourth day of January in the Year of Our Lord One thousand Eight hundred and Ninety four the Supreme Court of Oklahoma Territory met pursuant to adjournment in the City of Guthrie it being the third day of the January term of Court.

There were present Hon Frank Dale Chief Justice and Hon. Jno. H Burford and Henry W Scott Associate Justices Hon Horace Speed U.S. Attorney and Evett D. Nix United States Marshall of said Territory Edgar W. Jones Clerk C A Galbraith Attorney General and Taylor Crier

Proclamation of the opening of court being made by the Crier the following proceedings were had

Comes now A. G. Sampsell Esq and moves the admission as an Attorney of Fitch Esq.

The ~~Court~~ Applicant having satisfied the Court as to his efficiency and ability and having taken the prescribed oath it is ordered that he be admitted to practice in the Courts of Oklahoma

Comes now J R Keaton Esq who moves that Forrest be admitted to practice in the Supreme Court. The applicant upon satisfying the Court as to his fitness and ability and after taking the prescribed oath was duly admitted to practice in the Supreme and Inferior Courts of the territory

Comes now C R Buckner Esq and asks permission of the Court for time in which to file briefs in the case of

No 125. The Territory of Oklahoma — Plaintiff in Error.
vs
Fred M. Beale. Defendant in Error

The Court grants until January 10th 1894 for the filing of briefs in above cause.

No 117 — Vedder B. Paine — Plaintiff in Error.
vs
John Foster Et al — Defendants in Error

Comes now the Attorney for the defendants in above entitled Cause and ask the Court for time in which to file briefs — Time is so granted

No 110 — John Brickner Plaintiff in Error
vs
Sparder defendant in Error —

Comes now McBrien Esq Appellee in above Cause and moves the Court to dismiss the action for the reason that the Plaintiff in error did not deposit the fee required under the rule with the Clerk - Motion filed and Considered

No 120.

Hugh Mulhall Appellant
vs
Levi McVay Appellee

Comes now H R Thurston Esqr and asks time in which to file briefs for Appellee - The Court orders that briefs be filed by January 15th 1894 in above Cause -

No 130 -

[illegible] - Appellant
vs
Mollie Carey - Appellee

Comes now H R Thurston Esqr Attorney for appellee in above Cause and asks the Court for time in which to file brief for Appellee - The Court directs that the same be filed by January 15th 1894

The same order is made by the Court in the Case of O'Keefe vs Morris - upon application of the Appellees Attorney H R Thurston

No. 123

Guthrie National Bank
vs
A E McGlinnery Et al

Comes now Baker Esq and asks leave of the Court to file motion with the Clerk to quash alternative writ in above cause - Leave is granted and motion filed.

The Court at this time assigned the following cases cases for hearing - -

No 7 - United States
vs
Clay Peters - Hearing set down for Monday January 15 /94.

No 7 - [illegible]
vs
United States - Hearing set down for Monday January 15

No 73 Stanberry
vs
United States - Case set for hearing on Monday January 15 '94 -

No 125 Territory of Oklahoma
Appellant
vs
Fred M Bell
Appellee - Above cause set down for hearing on Tuesday January 16th 1894.

No 90 A M McPhee
Appellant
vs
Territory of Oklahoma
Appellee
Above cause set down for hearing on Tuesday January 16th 1894

No 121 Ream Gatliff
Appellant
vs
Territory of Oklahoma appellee
Above cause set down for hearing on Tuesday, January 16th 1894

No 91- Henry Wellman
Appellant
vs
Territory of Oklahoma
Appellee
Above cause set down for hearing on Tuesday January 16th 1894.

No 131- W H Bradford
Appellant
vs
Territory of Oklahoma
Above cause ordered to be heard on Tuesday January 16th 18[illegible]-

No 128.
Irwin - Appellant
vs
Irwin. Appellee
The above cause ordered set for hearing on Wednesday 17th 1894-

No 117.
Nealer B. Paine
Appellant
vs
Foster et al.
Appellee
Above Cause set down for hearing on Wednesday January 17th 1894

No 119.
S T Butner
Appellant
vs
The Western Union Telegraph Company
Appellee
The above Cause is set down for hearing on Wednesday January 17th 1894.

No 120.
Jack Mulhall
Appellant
vs
Levi McMay
Appellee
This cause is assigned for hearing on Wednesday January 17th 1894.

No 123.
Guthrie National Bank
Appellant
vs
A McIlhinney
Appellee
Above cause is assigned for hearing on Wednesday January 17th 1894

No 124
Coyle and Smith
Appellant
vs
Jos Barnum Appellee -

This cause is assigned for hearing on Monday January 8th 94

No 127 City of Guthrie
vs
Bank of America
The above cause is assigned for hearing on Thursday January 18th 1894.

No 83
Dysart
vs
Sutley
This cause is assigned for hearing on Thursday January 18th 1894

No 110
John Brickner
Appellant
vs
Sperelder
Appellee
The court assigns this cause for hearing on Thursday January 18th 1894

No 108
Emma A. King
Appellant
vs
Thompson
Appellee
The Court assigns this cause for hearing on Friday January 19th 1894.

No 115
Perry Brother
Appellants
vs
Hill Fontaine and Co.
Appellee - This cause is set down for hearing on January 19th 1894.

No. 122
Sonnenstein
Appellant
Perry
Appellee - This cause is set for hearing on Friday January 19th 1894.

No 118
Henry H. Wren
and Wren
Appellants
vs
United States of America
Appellee
The above cause of action is set down for hearing for Monday January 22nd 1894.

No 132
John Dossett
Appellant
vs
United States of America
Appellee
This cause is assigned for hearing on Monday January 22nd 1894.

No 34 - Ex parte - Fisher This cause is assigned for hearing on Monday January 22nd 1894.

No 109 - Richardson
Appellant
vs
Shelby
Appellee
This cause is assigned for hearing on Tuesday January 23rd 1894

No 118
Whaley
Appellant
vs
Choctaw Railway Company
Appellee
This cause is assigned for hearing on Tuesday January 23rd 1894.

No 114 - James A Churchill
Appellant
vs
Choctaw Railway Company. Appellee

No 116 The Peoples Bank
Appellant
vs
Emma S.D. Allen
Appellee

The above cause is set down for hearing on Tuesday January 23rd 1894

No 126 Burchett
Appellant
vs
Purdy
Appellee

This cause is assigned for hearing on Tuesday January 23rd 1894

No 129 Sawyer
Appellant
vs
Hurst
Appellee

The above cause is assigned for hearing on Wednesday January 24th 1894.

No 134 Guthrie National Bank
Appellant
vs
McEarl
Appellee

This cause is assigned for hearing on Wednesday January 24th 1894.

No 130 Irvine
Appellant
vs
Mollie Carey
Appellee

The above cause is assigned for hearing on Wednesday January 24th 1894

No 135 O'Keefe vs Dick Morris - this cause is assigned for hearing on Wednesday January 24th 1894.

In the above causes, the Court orders and directs that briefs be filed by attorneys desiring to do so - by the Evening of January 10th 94 Appellants - and by January 15th 94 Appellees -

Thereof by order of the Court proclamation being made by the Crier Court adjourned until January 15th 1894 3 PM

Chief Justice

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the fifteenth day of January in the Year of our Lord One thousand Eight hundred and ninety four the Supreme Court of Oklahoma met pursuant to adjournment in the City of Guthrie.

There were present Hon Frank Dale Hon John H Burford and Hon Henry W Scott Associate Justices. C A Galbraith Esqr Attorney General Of Oklahoma Territory — E D Nix Marshall and Edgar W Jones Clerk. Taylor Crier

Public Proclamation of the opening of Court being made by the Court Crier the following proceedings were had

Comes now J S Strang Esqr and moves to admit B.B. Crawford of Chandler Lincoln County to the bar of the Supreme Court. and at this time the Court announces and orders that hereafter all Attorneys applying to be admitted as practitioners in the Supreme Court of Oklahoma who have not been admitted to practice in any of the District Courts of the Territory must accompany their application with an affidavit to the effect that they have at no time been disbarred from the practice in any Court or suspended therefrom.

It is also required of the Attorney moving applicants admission that he make affidavit of effect that he knows personally that Applicant is a man of good moral Character.

B.B. Crawford then presents the following affidavit which is made a part of the record hereof.

Guthrie O.T. Jany 15th 1894.

I Beverly B. Crawford of lawful age being first duly sworn on oath say that I have never been disbarred from practice in any Court and to my knowledge there have never been any charges filed in any Court which I have failed to respond to.

Beverly B Crawford.

Subscribed and sworn to before me this 15th day of January 1894.

Edgar W Jones
Clerk Sup Ct.

Seal

Accompanying the above affidavit the following Certificate was also filed.

I hereby Certify that I am acquainted with Beverly B Crawford and have known him for many years — that he is a young man of good moral character.

J.S. Strang

The Court having become satisfied as to Mr Crawfords efficiency and ability it is ordered that he be admitted to practice in the

Courts of Oklahoma – he having taken the prescribed oath

Comes now J. A. Baker Esqr and moves the admission of Fred P. Hill of Enid O.T. as an Attorney in the Supreme Court the following affidavit was presented by Mr Hill.

Territory of Oklahoma
County of Logan

Came in person Fred Prosser Hill who being of lawful age and duly sworn says he is Fred Prosser Hill whose admission has been urged to the bar of the Supreme Court of the Territory of Oklahoma that he is the identical person mentioned in the licence to plead and practice law in the District Court and all inferior Courts in the State of Kansas and also the identical person mentioned to practice in the licence obtained from the Supreme Court of the State of Kansas – which Diploma to plead and practice are here to the Court shown.

Deponent further says that no proceeding whatever in any Court has ever been taken or instituted to revoke either of said licences but that the same are of full force and effect and deponents authority to practice law in under said licence is now of full force.

F. P. Hill

Sworn and subscribed to before me this 15th day of January 1894.

Seal

Edgar W. Jones
Clerk Sup Ct.

The following is a copy of Certificate filed at the same time by J. A. Baker –

I hereby Certify that I am personally acquainted with Fred P. Hill and know him to be of good Moral Character

J. A. Baker

The Court having become satisfied ~~of~~ as to Mr Hill's efficiency and ability and he having taken the prescribed oath it is ordered that he be admitted to practice in the Superior and the inferior Courts of Oklahoma

Comes now H. R. Thurston Esqr and moves the Court that Leman D. Bedwell be admitted to practice in the Supreme Court of Oklahoma Territory, he presents an affidavit the following of which is a copy –

In the Supreme Court of the Territory of Oklahoma

In the matter of the admission of Leman D. Bedwell Esqr. for admission to practice in the Supreme Court of Oklahoma.

H. R. Thurston of lawful age and being first duly sworn deposes and says upon oath that he has examined into the personal

Character of Leman D. Tredwell Esqr. and from the evidence presented to him he finds Leman D Tredwell Esqr. a person of good moral character and further affiant saith not

H R Thurston

Subscribed and sworn to before me this 15th day of January 1894.

Edgar W. Jones

Seal

Clerk Sup. Ct.

Mr Treadwell also presented the requisite affidavit the following of which is a true copy.

Supreme Court
Oklahoma Territory
In the matter of the application of
Leman B. Treadwell for admission to
the Supreme Court of said Territory.

Territory of Oklahoma
County of Logan
City of Guthrie SS

Leman B. Treadwell being duly sworn says that he has not been disbarred by the Courts of any State or Territory of the United States and that no proceedings to disbar this affiant are now pending and undetermined

L B Treadwell

Sworn to before me this 15th day of January 1894.

Edgar W. Jones

Seal

Clerk Supreme Court.

The following is a copy of a certificate filed by the Hon Henry W. Scott Associate Justice of the Supreme Court

I hereby certify that I have investigated the moral standing of Lyman B. Treadwell prior to the time of his removal from New York and have ascertained that it is good.

Henry W. Scott
Asso. Justice

Guthrie Okla.
Jany 15 1893

The Court becoming satisfied as to the ability and integrity of Mr Treadwell it is ordered that he be admitted to practice in the inferior and superior courts of Oklahoma after having taken the prescribed oath.

W. H. Lacey Jr Comes forward and moves the Court to admit Capt. C. A. Morris of the Bar of Law.
The Court having become satisfied as to Capt. Morris' ability and efficiency and he having taken the prescribed oath it was ordered that he be declared duly admitted as a practitioner in the Courts of Oklahoma

No 72.
United States appellee
vs
Dempsey Appellant

Comes now Ames Green Esqr and asks leave of the Court in the motion for certiorari and continuance. Leave given by the Court to file same which is accordingly done

No 71.
Cina Peters appellant
vs
United States appellee

Comes now Ames Green Esqr and moves the Court that a full bench be present and sitting when the above cause be argued. So ordered by the Court.

No 73.
Sam Terry appellant
vs
United States appellee

Comes now Ames Green Esqr and moves the Court that he be permitted to file motion for certiorari and continuance. Consent given and motion so filed.

No.
Jeffrey and Co
vs
Wolf and Son

Comes now J. H. Harmon Esqr and asks leave of the Court to file additional briefs in the above entitled cause.
The Court orders that he show cause why such consent should be given.

In Re

Approving the accounts
of Louis E Pitts Clerk of the
District Court First Judicial
District.

United States of America }
Territory of Oklahoma } SS

In the Supreme Court of the Territory of Oklahoma.

Be it Remembered that on this the Fifteenth day of January A.D. 1894, the Supreme Court of the Territory of Oklahoma Convened in the City of Guthrie, County of Logan in said Territory pursuant to adjournment and was duly opened for the actual transaction of business by the proclamation of the Court Crier.

There were present Hon. Frank Dale Chief Justice, presiding; Hon. John H. Burford and Hon. Henry W. Scott Associate Justices; Hon. J. F. Stone Asst. U.S. Attorney. E. D. Nix Marshall. Edgar W. Jones, Clerk. W. W. Taylor Court Crier. Among other proceedings had and done were the following to-wit:

Whereas Louis E. Pitts Clerk of the U.S. Dist Court of the First Judicial District of the Territory of Oklahoma residing at Guthrie in the County of Logan in said District and Territory, has on this the ~~fourth~~ sixteenth day of January A.D. 1894, presented in open Court an account of all his fees and emoluments as such clerk from the first day of October A.D. 1893 to the thirty first day of December 1893 and in the presence of John Stone Asst. U.S. Atty. has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated, and according to the laws of the United States and the same appearing in all things reasonable and just and according to law, it is therefore ordered and adjudged by the Court that the said account amounting to the sum of One thousand six hundred and seventy seven and 55/100 (1677 55/100) Dollars be and the same is hereby approved.

Frank Dale
Chief Justice

United States of America
Territory of Oklahoma } SS

I Edgar W. Jones Clerk of the Supreme Court of the Territory of Oklahoma do hereby certify that the foregoing is a true perfect and complete copy of the original judgment of the Court approving the accounts of Louis E. Pitts Clerk of the U.S. District Court of the First Judicial District of the Territory of Oklahoma as the same now appears on file and record in my office in the City of Guthrie in Logan County in said Territory

Witness my hand and the seal of said Court this fifteenth day of January A.D. 189[illegible]

Clerk of the Supreme Court

The Court here announces a recess of fifteen minutes.

After said recess Court reconvenes and the following business is transacted.

No 174-

Sayle and Smith appellant
vs
Jere Baum appellee

Comes now J W Shartel Esqr and asks permission to file stipulation for continuance in above cause. Consent of the Court given and stipulation so filed.

No 134

Guthrie National Bank appellant
vs
McEarl - appellee

Comes now Judge E B Green and asks the Court to set down date certain and soon for the hearing of above cause.

The Court directs the lawyers in this case to agree among themselves as to the date for hearing.

Comes now M N Noffsinger Esqr and moves the Court to order the case of The First National Bank vs Jones et al docketed. Court directs him to make showing.

No

Pappe appellant
vs
Trout - et al

M N Noffsinger comes forward and moves the court that the cause of Pappe vs Trout et al be ordered docketed by the Clerk.
The Court requires that cause be shown

No 13

Whaley appellant
vs
Choctaw Railway Company appellee } Error in the District

Comes now M N Noffsinger Esqr and asks permission of the Court to file stipulation for continuance in above cause. Consent of the Court being given the same the stipulation is so filed

No 114.

Churchill Appellant } Error in the District
vs } Court of Canadian County
the Choctaw Railway Company Appellee }

Comes now M.N. Nofsinger Esqr and ~~[illegible] the~~ asks permission of the Court to file Stipulation for Continuance in above cause. Consent of the Court given and stipulation so filed

No 130.

W.H. Irwin Etal Appellants } Appeal from the District
vs } Court of Logan County
Mollie Carey Appellee }

Comes now H.R. Thurston Esqr and asks for an extension of time in which to file briefs in above cause.

No 125

the Territory of Oklahoma } Appeal from the District Court
vs } of Oklahoma County
Fred M. Beall }

Comes now Amos Green Esqr and asks permission of the Court for extension of time to file briefs in above cause.

Chief Justice

Attest Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the Sixteenth day of January in the Year of Our Lord One thousand Eight hundred and ninety four. The Supreme Court of the Territory of Oklahoma met in regular session in the City of Guthrie.

There were present Hon. Frank Dale Chief Justice, Presiding Hon John H. Burford and Hon Henry W. Scott Associate Justices - Hon. John F. Stone Asst. U.S. Attorney. Hon C.A. Galbraith Attorney General Nix Ms. Marshall - Edgar W. Jones Clerk and W.A. Taylor Court Crier.

Proclamation of the opening of Court having been made by the crier, the following proceedings were had.

Comes now Judge E.B. Green and moves the Court that D.J. Wallace be admitted to practice in the Supreme Court -
It appearing to the Court that the applicant is duly qualified and efficient. and upon his taking the prescribed oath. it is directed that he be enrolled as an Attorney of record in the Supreme Court of Oklahoma

In Re
Filing case of Spray vs Territory
without the prescribed fee

Comes Now Amos Green Esq and moves the Court that the case of Spray in Error vs the Territory of Oklahoma - Defendant in Error - be filed without the necessity of depositing the fee required under the Supreme Court Rules -
The Court directs that the case be so filed and orders the Clerk to docket same.

No 135
The Territory of Oklahoma Appellant } Error from
vs } Oklahoma County
Fred M Bell - Appellee }

Comes now C.R. Buckner Esq and asks leave of the Court to file motion for writ of Certiorari in above case granted - Amos Green Esq asks permission to file written objection to writ being granted and his request is allowed.

The Causes Nos. 71 - Clay Peters Appellant } Error from Oklahoma County
vs
United States Appellee }

No 72. Dempsey appellant } Appeal from Oklahoma County
vs
United States Appellee }

and
No 73 - Stansberry Appellant } Error from Oklahoma County
vs
United States of America Appellee }

The above causes are passed by the court until another Judge for Oklahoma is qualified

No 121.

Rose Gatliff Appellant } Appeal from Payne County
vs
The Territory of Oklahoma Appellee }

Be it Remembered that on this the Sixteenth day of January AD 1894 being one of the judicial days of the January term of Court this Cause Came on for hearing upon the regular call of the docket ~~this cause was~~ and was submitted upon the record and briefs and abstracts filed and was taken under advisement by the Court

In Re:
Changing the date of holding a term of the District Court in Kingfisher County - being in the Second Judicial District }

It is ordered by the Court that a term of the District Court shall be held in the Second Judicial District at the City of Kingfisher in the County of Kingfisher Commencing on the First Monday in February A.D. 1894 said term to be the regular February term of Court for that County the former order of this Court fixing the regular term for Kingfisher County - beginning on the third Monday in February is hereby vacated and set aside - and it is further ordered that all causes pending and Continuances triable at said latter date - and all orders - summons - writs and other processes returnable at said term of Court, to be for issue trial and hearing on the first Monday in February.

United States of America
Territory of Oklahoma

Be it remembered that on this the seventeenth day of January in the year of our Lord One thousand Eight hundred and ninety four, the Supreme Court of the Territory of Oklahoma met in regular session in the City of Guthrie.

There were present Hon Frank Dale Chief Justice Hon Henry W. Scott associate Justice Hon John [illegible] Asst United States Attorney [illegible] U.S. Marshal C. A. Galbraith Esq Attorney General of said Territory Edgar W. Jones Clerk and W. H. Sykes Court Crier

Proclamation of the opening of Court having been made by the Crier the following proceedings were had.

No 128

Irwin Appellant
vs
Irwin Appellee

Came now Geo. P. Uhl Esq. and moves the Court that the above cause of action be argued and submitted on Wednesday January the 24th 1894. There being no objection the Court so orders.

Thereupon by order of the Court proclamation being made by the Crier Court was adjourned until Monday January 22nd 1894 at 3³⁰ P.M.

Chief Justice

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty second day of January in the year of our Lord One thousand Eight hundred and ninety four. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie in said Territory, being one of the Judicial days of the January term. And there being no quorum present, it was ordered by Hon. Frank Dale Chief Justice of said Court that the said Court be adjourned until Tuesday January twenty-third Eighteen hundred and ninety four at three thirty O'clock PM and it was so proclaimed.

Attest
Edgar W Jones
Clerk

Chief Justice

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty third day of January in the Year of Our Lord One thousand eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie in said Territory it being one of the Judicial days of the January term of said Court. And there being no quorum present, it was ordered by Hon Frank Dale Chief Justice of said Court that the said Court be adjourned, until Wednesday January the twenty fourth eighteen hundred and ninety four at four O'clock PM and it was so proclaimed

Chief Justice

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty fourth day of January in the year of our Lord One thousand eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment and it was ordered by the Hon. Frank Dale Chief Justice that as no quorum was present the said Court be adjourned over until Thursday January the twenty fifth One thousand eight hundred and ninety four at three thirty O'Clock P.M. and it was so proclaimed

Chief Justice

Attest
[illegible]
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on on this the twenty fifth day of January in the year of Our Lord, one thousand eight hundred and ninety four, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment and there being no quorum present it was ordered by the Hon Frank Dale Chief Justice that the said Court be adjourned until ten o'clock a.m. Friday January A.D. twenty sixth 94 and it was so proclaimed.

Chief Justice

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty sixth day of January in the year of our Lord One thousand eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie and Territory of Oklahoma pursuant to adjournment the above date being one of the Judicial days of the January term of said Court.

There were present Hon. Frank Dale Chief Justice Hon Henry W. Scott Associate Justice Hon Horace Speed United States Attorney C.A. Galbraith Attorney General of Oklahoma E.D. Nix Marshal Edgar W. Jones Clerk and W.A. Julian Court Crier

Public Proclamation having been made by the Court Crier of the opening of Court. the following proceedings were had.

In Re
Hon A.G.C. Pierce
qualifying as Associate Justice
of the Supreme Court of Oklahoma

Hon A.G.C. Pierce presenting to the Court his Commission from the President of the United States appointing him the said A.G.C. Pierce Associate Justice of the Supreme Court of the Territory of Oklahoma and said Commission bearing the Seal of the Department of Justice the oath of office was then and there delivered by the Hon Frank Dale Chief Justice of the Supreme Court of the Territory of Oklahoma and the said A.G.C. Pierce entered upon the duties as Associate Justice of the Supreme Court of said Territory

It was ordered by the Court that the Commission and oath of Office of Hon. A.G.C. Pierce as Associate Justice of Oklahoma be spread at large upon the Journal of this Court and that the Clerk forward a copy of the oath of office to the Department of Justice at Washington and that a copy of said oath of office duly certified be sent by the Clerk to the Secretary of the Territory of Oklahoma to be there recorded and a certified copy of same to be filed in the office of the Clerk of this Court.

Grover Cleveland
President of the United States of America.
To all who shall see these Presents Greeting:

Know Ye. That reposing special trust and confidence in the Wisdom, Uprightness and learning of A G Curtis Bierer of Oklahoma Territory, I have nominated and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States, and to have and to Hold the said Office, with all the powers privileges and emoluments to the same of right appertaining unto him, the said A G Curtis Bierer for the term of four years from the day of the date hereof, subject to the conditions and provisions prescribed by law.

Seal.

In testimony whereof, I have caused these letters to be made patent and the Seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington the 17th day of January in the year of our Lord One thousand Eight hundred and Ninety four, and of the Independence of the United States of America the One hundredth and eighteenth.

By the President: Grover Cleveland

Richard Olney
Attorney General.

United States of America }
Territory of Oklahoma } ss

I A G Curtis Bierer do solemnly swear that I have never borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid countenance counsel or encouragement to persons engaged in armed hostility thereto: that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government authority power or Constitution within the United States hostile or inimical thereto.

and I do solemnly swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of which I am about to enter as Associate Justice of the Supreme Court of Oklahoma Territory. So help me God.

A. G. Curtin Bierer

Subscribed and sworn to before me this 20th day of January 1894.

Frank Dale
Chief Justice

No. Robert Mayne appellant
vs
United States Appellee

In above cause of action the Court grants until February 20th 1894 for briefs to be filed

No 129 Sawyer appellant
vs
Hunt appellee

Comes now Harper S. Cunningham Esqr and asks leave to file briefs - Consent given and brief accordingly filed

No 135
O'Keefe appellant
vs
Lock Morin appelle

Comes now John Cotteral Esqr and asks leave of the Court to file briefs for appellant in above cause - leave of the Court is granted and the briefs are so filed

No 174. Coyle and Smith appellants
vs
Jas Baum Appellee

And now comes John F. Shartel and moves the Court that time be given additional in which to file briefs in above cause - time is so given

No 128

Lorenzo Irwin Appellant
vs
Eliza Irwin Appellant

Comes now C R Buckner Esqr and asks the Court to set a date certain for the hearing of above cause. The Court sets same for Tuesday January 30th 1894.

And now Comes J. C. Roberts Esqr and asks leave of the Court to file the papers in the case of [illegible] appellant vs. M F Turner Appellee asking for alternative writ of Mandamus

Writ allowed answer to be filed by Wednesday January 31st 1894 - Briefs in above cause to be filed by Tuesday January 30th 1894

In Re
Approving accounts of
N B Marr - U S Commissioner
in O.T. for the 2nd Judicial Dist.

Comes now John F. Stone Esqr Asst US Attorney in and for Oklahoma Territory and in open Court presented an account of the fees and emoluments due to N.B. Marr as US Commissioner in the 2nd Judicial District for services from October 9th 1893 to Dec[illegible] 30th 1893. Said accounts being approved in the sum of [illegible] hundred thirty one and 85/100 dollars. (131^{85})

It being proven to the Courts satisfaction that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing reasonable and just and according to law it is therefore considered ordered and adjudged by the Court that the said account amounting to the sum of one hundred thirty one and 85/100 dollars (131.85) be and the same is hereby approved

In Re:
Term of the District Court
in Oklahoma County - being
in the Third Judicial District.

It is ordered by the Court that a term of the District Court shall be held in the Third Judicial District at the City of Oklahoma in the County of Oklahoma - Commencing on the first Tuesday in February A.D. 18[illegible] said term to be the regular Spring term of Court for that County.

The former order of this Court ~~fixing~~ the regular Spring term of Court for Oklahoma County commencing on the third Monday in March is hereby reversed and set aside.

Chief Justice

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty seventh day of January in the year of our Lord One thousand eight hundred and ninety four. the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the judicial days of the January term of the said Court.

There were present Hon Frank Dale Chief Justice Hon. Henry W Scott and A G C Bierer Associate Justices. Hon Horace Speed U.S. Atty. E D Nix Marshall Edgar W Jones Clerk and W M Taylor Court Crier.

Proclamation having been made by the Court Crier of the opening of Court the following proceedings were had

No 90.

Collier Appellant
vs
Territory of Oklahoma

The above cause pending on motion to dismiss it is held and adjudged by the Court that five days time be given in which to perfect the appeal and to make such amendments as are deemed right and proper

Whereupon upon order of the Court Proclamation being made by the Crier, Court adjourned until 10 o'clock am Tuesday January 30th AD 1894.

Chief Justice

Attest Edgar W Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the thirtieth day of January AD. 1894. the Supreme Court of the Territory of Oklahoma met in the City of Guthrie.
There were present Hon Frank Dale Chief Justice. Hon. John H. Burford Henry W. Scott and A.G.C. Bierer Associate Justices- Hon Horace Speed United States Attorney E.D. Nix US Marshall Edgar W. Jones Clerk and W.A. Taylor Court Crier.

Public proclamation of the opening of Court being made by the Crier, the following proceedings were had.

No 128

Irwin
vs } Appeal from the Probate Court of Payne County
Eliza Jane Irwin

And now on this 30th day of January AD. 1894. this cause came on for hearing upon the regular call of the Docket and the same was argued and submitted.

Comes now B.F. Decker Esq. and asks permission of the Court to permit him to file papers in the case of E.S. Mack appellant vs Miles (Co treasurer) appellee. The Court directs that papers be filed and that cause be docketed.

John Dorrell appellant
vs } Habeas Corpus -
United States of America appellee-

And now comes Geo Gardner Esq and asks leave of the Court to file brief in above cause- Consent of the Court given and brief so filed

No 117

Vender B. Paine Appellant
vs } Appeal from District Court of Logan County
John Foster Et Al Appellees

Comes now J.H. Cotteral Esq and moves the Court that the appellees be required to file brief in above cause. The Court directs that briefs be so filed immediately

No 119

J.J. Butner appellant
vs
The Western Union Telegraph Co. appellee

} Appeal from the
} District Court of
} Logan County

And now on this the 30th day of January A.D. 1894 the above cause came on for hearing upon the regular call of the docket and the same was argued and submitted, J.A. Baker Esqr appearing in behalf of the appellant and J.H. Shartel Esqr. appearing for the appellee.

In Re
Approving accounts of
W.H. Ebey Clerk of the
U.S. District Court of the
3rd Judicial District.

Whereas Wm H Ebey Clerk of the U.S. District Court of the 3rd Judicial District and residing at Oklahoma City O.T. in the County of Oklahoma has on this the 30th day of January A.D. 1894 presented in open Court an account of all his fees and emoluments as such Clerk from the day of A.D. 189 to the 31st day of December A.D. 1893 and in the presence of John Horner Asst. U.S. Attorney proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing in all things reasonable and just and according to law it is therefore ordered and adjudged by the Court that the said account amounting to the sum of
be and the same is hereby approved.

Frank Dale
Chief Justice

In Re
Approving the Accounts
of J.S. Hickey as
United States Commissioner
in the 2nd Judicial District.

Comes now John F. Horner Asst. United States Attorney and moves the Court to approve the Accounts of J.S. Hickey U.S. Commissioner residing at in the County of Territory of Oklahoma and in the 2nd Judicial District said accounts and emoluments being for services as U.S. Commissioner from the to the of 1893.

The said John F. Stone [illegible] having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing in all things reasonable and just and according to law it is therefore ordered and adjudged by the Court that the said accounts amounting to ~~seventy three~~ and ~~seventy~~ forty six and [illegible]/100 dollars be and the same is hereby approved.

In Re
Approving the accounts
of J W Sampson as U.S.
Commissioner 2nd Judicial
District.

Comes now John F. Stone Asst. U.S. Attorney and moves the Court to approve the accounts of J.W. Sampson U.S. Commissioner residing at in the County of Oklahoma Ty. being in the 2nd Judicial District. Said accounts and amendments being from the day of 1893 to the 31st day of December A.D. 1893.

The said John F. Stone having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing in all things reasonable and just and according to law it is therefore ordered and adjudged by the Court that the said accounts amounting to the sum of seventy three and 35/100 dollars be and the same is hereby approved.

The Court here takes an ~~adjournment~~ recess until 2 O'Clock P.M. today and it is so proclaimed by the Crier.

The Court reconvenes at this time 2 P.M. Tuesday January 3rd A.D. 1894 and the following proceedings were held after proclamation by Crier.

No 125 The Territory of Oklahoma
Appellant
vs
Fred M. Beall
Appellee

Appeal from District Court of Oklahoma County.

Comes now C R Buckner Esqr.

and asks permission of the Court to file Motion to dismiss motion for writ of Certiorari. Consent given and motion so filed.

No 123

Guthrie National Bank Appellant } Application for writ of Mandamus— Original proceedings
vs
J. T. McKinney Etal Appellees

And now on this the 30th day of January A.D. 94 the above cause coming on for hearing upon the regular call of the Docket the same was taken under advisement by the Court.

No 71

The City of Guthrie Appellant } Appeal from the District Court of Logan County
vs
The Bank of New Vienna Appellee

Be it Remembered that on this 30th day of January A.D. 94 the above cause came on for hearing upon the regular call of the Docket and the same was argued and submitted. J.A. Baker appearing for appellant and Harper & Cunningham appearing for appellee.

No 139

National Bank of Arkansas City Appellant } Appeal from District Court of Kingfisher County
vs
Jones Et Al.

Comes now [illegible] Esqr and asks permission of the Court for additional time in which to file briefs. Required to make showing why time should be so granted

In Re:
Approving the Account of E D Nix as United States Marshal for the Territory of Oklahoma.

And now on this the 30th day of January
No. [illegible] - Comes E.D. Nix U.S. Marshal for the Territory of Oklahoma residing in the City of Guthrie and County of Logan and in open Court presented an account of all the fees and emoluments as such marshal from the
A.D. 1893 and to December 31st A.D. 1893 and in the premise

of John F Stone Esqr. Asst. U.S. Atty. has proven to the satisfaction of the Court on [illegible] that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing in all things reasonable and just and according to law. it is therefore considered ordered and adjudged by the Court that the said account amounting to the sum of

&c and the same is hereby approved.

Whereof by order of the Court proclamation having been made by the Crier the Court adjourned until Wednesday morning January 31st A.D. 1894 - at 10 o'clock a.m.

Chief Justice

Attest
Edgar W. [illegible]
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the thirty first day of January A.D. 1894. The Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie.

There were present Hon. Frank Dale Chief Justice Hon. John H Burford Henry W. Scott and A G Curtin Bierer Associate Justices. Hon Horace Speed U.S. Attorney E D Nix Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Public proclamation of the opening of Court having been made, the following proceedings were had

No. 125

The Territory of Oklahoma
Appellant
vs
Fred M. Beall
Appellee

Appeal from the District Court of Oklahoma County

Be it Remembered that on this the thirty first day of January A.D. 1894, the Court through Chief Justice Dale announces that in the above entitled cause the motion to dismiss is allowed and it is adjudged that appellee be tried in Oklahoma County, and that one of the Judges of Oklahoma other than Judge Scott be called upon to sit as Judge in the said case.

No.

Amos Herring (Regent)
Appellant
vs
M. F. Turner (Treasurer)
Appellee

Comes now Hon C. A. Galbraith Attorney General of Oklahoma Territory and asks permission of the Court to file motion to quash alternative writ in above cause. Leave given and motion is filed.

Comes now J. C. Roberts Esqr. and asks leave of the Court to amend writ in the above cause. It is held by the Court that the motion be filed with the Clerk. Motion is so filed, and the motion is allowed he being permitted to so amend.

No 115

Berry Brothers
Appellants
vs
Hill Furniture Mfg. Co.
Appellees

Comes now Amos Green [illegible]

and asks leave of the Court for additional time in which to file briefs in above cause. The Court thereupon grants him ten days for such purpose.

No.
County Commissioners of Logan County
Appellants
vs
Stiles - County Treasurer
Appellee

The Court orders that briefs in the above cause be filed by Friday Feby 2nd AD 1894

No 139.
National Bank of Arkansas City
Appellant
vs
Jones et al
Appellee

Comes now Thad G. Sutlif Esqr and asks permission of the Court to substitute a bill of particulars in above cause, also for additional time in which to file briefs. The application is taken under advisement by the Court

Comes now Geo. S. Green Esqr and moves the Court that J M McDonald Esqr be admitted to practice in the Supreme Court of this Territory.
The required affidavits by applicant and attorney being presented, and it appearing to the Court that the applicant was duly qualified it was directed that he be admitted to practice in the superior and inferior Courts of this territory, upon his taking the prescribed oath! which was accordingly administered by Associate Justice Bierer

Comes now W H Irwin Esqr and moves the admission of A J Garrett as an Atty. to practice in the Supreme Court.
It appearing to the satisfaction of the Court that the applicant was duly qualified he was accordingly admitted upon taking the prescribed oath.

No.
City of Guthrie Appellant
vs
Bank of New Vienna
Appellee

Argument in the above

cause is now continued by Harper & Cunningham Esqs. the cause is concluded and the case submitted.

No 130
Jack Mulhall
Appellant
vs
McVay
Appellee

Be it remembered that on the the Thirty first day of January A.D. 1894. the above cause coming on for hearing upon the regular call of the Docket- the cause was argued and submitted.

No 139.
National Bank of Arkansas
Appellant
vs
Jones Et al
Appellees.

The judgment of the Court in above cause on motion to substitute lost papers. it is held that the showing is insufficient.

Thad G. Cutlip Esqs then asks permission to show by affidavit that assignment of Error was filed within the prescribed time and asks to substitute copy of original.

The Court grants permission and the affidavit is so filed. ten days time from this date is given appellant in which to file briefs and twenty days time from date is given appellee for the same purpose.

No 72
Dempsey
Appellant
vs
United States of America
Appellee

The Court after deliberation overrules motion of appellant in the matter of

No 73.
Mulberry
Appellant
vs
United States of America
Appellee

The Court overrules the

Motion in above cause relating to-

No.

Spray
Appellant
vs
Territory of Oklahoma
Appellee

} From District Court
Oklahoma County.

In the above cause a motion having been filed asking that cause be docketed without fee, the Court allows motion and orders cause docketed.

No 110.

John Brickner
Appellant
vs
Sporleder
Appellee.

} Upon motion to dismiss

In above cause the Court orders the same docketed upon the payment of the Clerks Docket fee.

No. 56.

Mann
Appellant
vs
F.R. McKennon
Appellee.

} From Oklahoma County
District Court-
Motion to Re instate cause

The Court at this time overrules motion to reinstate cause.

No-

Amos A. Ewing
Appellant
vs
M.S. Turner
Appellee

} Application for Writ
of Mandamus.

The above cause is passed until February 12th '94

No.-

Dyant and Smith
Appellants
vs
Warren S. Lurty
Appellee

It is agreed that the above cause be

submitted on briefs and time is granted the Appellant in which to file reply briefs.

No. 118

Henry H. Swan
and [illegible] Swan
Appellants
vs
United States of America
Appellee.

Be it Remembered that on this the thirty first day of January A.D. 1894 the above cause coming on for hearing upon the regular call of the docket Hon. Horace Speed comes forward and asks permission of the Court to file motion to dismiss. The Court grants permission. Motion is so filed with the Clerk. The cause is then argued and submitted

In Re:
Naturalization of
Wm Wimko.

Comes now William Wimko a native of [illegible] and upon proving to the satisfaction of the Court that he is entitled to become a naturalized Citizen of the United States, it is ordered that he become such upon taking the prescribed oath. Which was accordingly administered by the Clerk. Thereupon By order of the Court Proclamation having been made by the Crier the Court adjourned until 10 o'clock a.m. Thursday February 1st A.D. 1894

Attest
Edgar W. Jones
Clerk.

[illegible] Be it Remembered that on this the First day of February A.D. 1894. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie it being one of the judicial days of the January term of said Court. There were present Hon. Frank Dale Chief Justice, Hon. John H. Burford Henry W. Scott and A. G. C. Bierer associate Justices, E. D. Nix marshal, Hon. Horace Speed U.S. Atty. Edgar W. Jones Clerk and Wm. Taylor Court Crier. Proclamation of the opening of Court having been made by the Crier the following proceedings were had.

No 177

Sonnenstein
Appellant
vs
Perry
Appellee

from District Court
Oklahoma County

Be it Remembered that on this the first day of February A.D. 1894 the Court passed upon the motion filed by appellant to dismiss above cause of action. and it is held that the motion be sustained and cause dismissed.

No 109

Richardson
Appellant
vs
Shelby
Appellee

Be it Remembered that on this the first day of February A.D. 1894. the Court ruled that 30 days time be given appellant in which to perfect record

No 136.

John Spray
Appellant
vs
Territory of Oklahoma
Appellee

The above cause coming on for hearing - the same is passed by agreement until the special term of court to be held on March 1st 94

No 109.

Richardson
Appellant
vs
Shelby
Appellee

Upon application the Court grants leave to above parties to file briefs upon stipulation

Comes now John Foster Esqr. and moves the admission of Forrest Esqr. of the El Reno bar to practice in the Supreme Court. It being proven to the Court that Mr Forrest is duly qualified it was therefore ordered that he be admitted upon taking the prescribed oath.

No

Amos A Ewing
Appellant
vs
M.L. Turner
Appellee

The above cause coming on for hearing the same was argued. The Court here orders that an adjournment be taken until 2 PM this date and it was so proclaimed.

At 2 o'clock PM the court reconvened and after proclamation having been made the following proceedings were had and done.

In the Mandamus Cause of Ewing vs Turner it was ordered that briefs be filed by 5 o'clock PM February 2nd A.D. 1894
The argument in this cause was here concluded and the cause submitted

No

John Dorsett
Appellant
vs
United States of America
Appellee

} Application for Writ of Habeas Corpus.

Be it Remembered that on this day the above cause came on for hearing and the same was argued and submitted. Argument to be concluded on tomorrow.
Chief Justice Dale retiring from the bench during the argument.

Thereupon by order of the Court Proclamation having been made the Court took an adjournment until 10 o'clock AM February second AD 1894

Attest
Edgar W. Jones
Clerk

Chief Justice

United States of America
Territory of Oklahoma

Be it Remembered that on this the second day of February AD 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. this being one of the judicial days of the January term of said Court

There were present Hon Frank Dale Chief Justice Hons. John H. Burford Henry W. Scott and A. G. C. Bierer Associate Justices Hon Horace Speed U.S. Atty E D Nix U.S. Marshal Edgar W Jones Clerk and W. Taylor Court Crier.

Proclamation of the opening of Court having been made the following proceedings were had and done.

No.
John Dorrell Appellant
vs
United States of America Appellee
} Application for writ of Habeas Corpus.

Argument in the above cause was concluded at this time and the cause was submitted. — Chief Justice Dale retiring from the bench during argument.

The Court at this time announces that an opinion will be given in the case of Ewing vs Turner in the afternoon of to-day. and also that opinions would be read in various cases.

Chief Justice Dale at this time resumes his place on the bench

No
Amos A. Ewing. Appellant
vs
M. S. Turner Appellee
} Application for writ of Mandamus

Be it Remembered that on this day the above cause came on for final determination and it was held by the Court that Mandamus was not the proper remedy and the case was ordered dismissed — Bierer J. giving opinion orally. All the Judges concurring. The written opinion will be found on Page — Book of Opinions and a part of this journal.

No 129.
Hunt
Appellant
vs
Sawyer
Appellee

The above cause coming on for hearing upon the call of the docket. the same was argued —

Justice Burford being excused from bench during the argument
Fifteen days time was given Appellant in which to perfect record and leave given by Court to take original papers from the files.
At this time the Court takes an adjournment until 2 PM. afternoon Feby 2nd A.D. 1894 and it is so proclaimed by the Crier.

At 2 PM this 2nd of February AD 1894 the Court reconvenes and Proclamation by Crier having been made by order of the Court the following proceedings were had and done.

No 85

Needles
Appellant
vs
Frost
Appellee

} Appeal from the District
} Court of Oklahoma County

Be it Remembered that on this the second day of February A.D. 1894 the above cause having come on for decision it was held that the decision of the lower Court be and is hereby sustained. The opinion was read by Burford J. all the Associate Justices and C.J. Concurring - and can be found on Page - Book of Opinions.

No 81

Berry Brothers
Appellant
vs
Smith
Appellee

} From Probate Court
} in Cleveland County

The above cause Coming on for final determination it was held that the decision of the lower Court be sustained Scott J. handing down the opinion and all the Judges Concurring -
The written opinion can be found on Page - Book of Opinions.

No 79

Samuel Sproat
Appellant
vs
Otto C Durand
Appellee

} Appeal from the District
} Court of Oklahoma County

And now on this the second day of February A.D. 1894 the above cause coming on for final determination and judgment it was held by the Court (the opinion being handed down by Chief Justice Dale) that the judgment of the lower Court be sustained. Associate Justice Bierer orally dissents and reserves the right to file written dissent at a future time. This opinion will be found on page Book of opinions.

a part of this record

No 97.

J.H. Dean
Appellant
vs
E.W. Moore Et al
Appellees.

} Appeal from the District Court of Oklahoma County

Be it Remembered that on this the second day of February A.D. 1894. the above cause having come on for final determination and judgment: it is held by the Court that the judgment of the lower Court be affirmed with costs taxed to Appellant.
Opinion by Burford J. all the Justices concurring— and recorded on page Book of Opinions and a part of this record.

No.

John D. Perry
appellant
vs
Geo. Smith - Sheriff
Appellee

} Appeal from the Probate Court of Cleveland County

And now on this second day of February A.D. 1894 the above cause having come on for final judgment and determination, it was held that the judgment of the lower Court be affirmed with costs to appellant.
This opinion was handed down by Scott J. all the Justices Concurring and can be found on page Book of Opinions and a part of this record.

No 89.

Henry Herbein
Appellant
vs
A.C. Snell Et al
Appellees

} Appeal from District Court of Logan County

And now on this second day of February A.D. 1894 the above entitled cause having come on for final hearing and judgment. It is held that the judgment of the lower Court be affirmed with costs to appellant.
This opinion was handed down by Burford J. all the Justices concurring, and can be found on page Book of Opinions and a part of this record.

No.

Simpson - Co. Commissioner
vs.
Wilson - Township Trustee

Comes now A.H. Hamilton Esqr and [illegible] leave of the Court to file papers in the above entitled cause. Leave given and the papers so filed with the Clerk.

No.

A. J. Butner
Appellant
vs
Western Union Telegraph Company
Appellee.
} Appeal from District Court of Logan County

Comes now J W Shartel Esqr. and asks leave of the Court to file copy of recent Wisconsin case in above cause. Leave of Court given and copy filed with the Clerk.

Territory of Oklahoma Ex Rel. E. S. Meek ~~Co. Commissioners~~
Appellants
vs
Stiles Co Treasurer
Appellee

The above cause at this time is argued and submitted.

No.

Territory of Oklahoma
vs
McClaskey
} Application for Habeas Corpus

The above cause at this time was argued and submitted and taken under advisement.

Whereof by order of the Court Proclamation having been made the Court adjourned until 11 O'clock AM February 3rd AD 1894.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the third day of February A.D. 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, pursuant to adjournment on this, one of the judicial days of the January term of said Court.

There were present Hon. Frank Dale Chief Justice Hons. John H. Burford Henry W. Scott and A. G. C. Bierer Associate Justices. Hon Horace Speed U.S. Attorney E. D. Nix Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier.

By order of the Court Proclamation of the opening of Court having been made the following proceedings were had and done.

No.

~~County Commissioner~~ Territory of Oklahoma - ex Rel - E. F. Meek
vs.
Hiles. Co Treasurer

Be it remembered that on this the third day of February A.D. 1894 the above cause having come on for final determination, it was held by the Court that the five mill tax levy is illegal. This opinion was handed down orally. And when filed in writing will be found on page Book of Opinions and a part of the record.

No

Simpson - County ~~Co~~mmissioner
vs
Clark.

The Court announces that an opinion in the above cause will be handed down on March 1st A.D. 1894

No.

S. T. Butler
Appellant
vs
The Western Union Telegraph Company
Appellee

Comes now J. H. Shirk Esqr. and asks leave of the Court to file an additional brief in the above entitled cause Consent of the court given and brief so filed with the Clerk.

In Re
Re districting the Territory
and the assignment of
the Judges.

It is ordered by the Court that the Counties of Logan, Payne, Lincoln and Q Constitute the first judicial District and Chief Justice Frank Dale is hereby assigned to said District.

It is ordered that the Counties of Canadian Kingfisher Blaine. Washita and "O" shall constitute the Second Judicial District and Associate Justice Burford is hereby assigned to said District.

It is ordered that the Counties of Oklahoma Cleveland and Pottawatomie shall constitute the Third Judicial District, and Associate Justice Scott is hereby assigned to said District.

It is ordered that the Counties of "P" "K" "L" & "M" shall constitute the Fourth Judicial District and Associate Justice Bierer is hereby assigned to said District.

It is ordered that the Counties of "N" "D" "G" Day, Roger Mills and Beaver shall constitute the Fifth Judicial District and until a Judge is assigned thereto the Counties Comprising the Fifth Judicial District. shall Constitute a part of the second Judicial District.

It is further ordered that all that portion of the Osage Indian Reservation south of the township line between townships 25 and 26 shall be attached to "Q" County for judicial purposes. and all that portion of the Osage Indian Reservation north of said line and the Kaw or Kansas Indian Reservation are hereby attached to "K" County for judicial purposes.

It is further ordered that the Indian Reservation of the Ponca Indians and Otoes and Missourias are hereby attached to "P" County for judicial purposes. Provided that all the actions commenced and prosecutions heretofore begun and pending, and all offences heretofore committed in any of the said Indian Reservations shall be proceeded with and prosecuted to final determination the same as though this order had not been made

It is further ordered that terms of Court in the First Judicial District shall be held as follows.

In Logan County Commencing the First Tuesday in March
In Payne County " the Third Tuesday in May
In "Q" County Commencing the First Monday in June
In Lincoln County as heretofore ordered Commencing on the First Tuesday in February.

It is further ordered that terms of Court in the Second Judicial District shall be held as follows.

In Kingfisher County Commencing on the First Monday in February
In "O" County Commencing on the Second Tuesday in March
In Blaine County Commencing on the Second Tuesday in April.
In Washita County Commencing on the Fourth Wednesday in April
In Canadian County Commencing on the First Monday in May

It is further ordered that terms of Court in the Third Judicial District shall be held as follows.

In Oklahoma County as heretofore ordered on the First Tuesday in February

In Cleveland County Commencing on the second Monday in April.
In Pottawatomie County Commencing on the third Tuesday in May.

It is further ordered that terms of Court shall be held in the Fourth Judicial District Commencing as follows.

"K" County the third Monday in March
"L" County the second Tuesday in April
"M" County the fourth Tuesday in April
"P" County the third Tuesday in May

It is further ordered that terms of Court shall be held in the Fifth Judicial District, Commencing as follows.

In Beaver County on the first Tuesday in March
In "N" County on the third Wednesday in March
In "D" County on the third Tuesday in April
In "G" County on the fourth Monday in April
In Roger Mills County on the fifth Monday in April
In Day County on the first Monday in May.

It is further ordered that all other orders heretofore made in conflict with the above are hereby vacated and set aside,

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for by this order and all orders writs and summons of every character returnable to the terms of Court, as heretofore fixed shall be returnable and stand for determination at the several terms as provided in this order; and all persons under bond or recognizance to appear at any term of Court as heretofore fixed, shall be required to appear on the first day of the term of Court as fixed in this order in the County in which he was required to appear by such bond or recognizance. It appearing to the Court for good cause shown that Chief Justice Dale is unable to hold Court in Lincoln County commencing on the first Tuesday in February, 1894. it is therefore ordered that Associate Justice Bierer be designated to preside at and hold said term of Court.

It is further ordered that the Clerk of the Supreme Court be directed to mail a certified copy of the above to the Clerks and Deputy Clerks of the various Counties that are affected by this order.

John Darrett
vs
United States of America

Application for Writ of Habeas Corpus

The Court announces at this time that an opinion in the above cause will be handed down on the first day of March A.D. 1894.

No

McQuiley }
vs }
United States of America }

} Application for Writ
} of Habeas Corpus.

The Court at this time announces that an opinion in the above cause will be given on the first day of March AD 1894.

And thereupon by order of the Court proclamation having been made by the Court Crier, an adjournment was taken until Thursday March 1st 10 O'clock AM.

Attest.
Edgar [illegible],
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the first day of March in the year of our Lord one thousand eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie — the same date being one of the judicial days of the January term of said Court.

There were present Hon. Frank Dale Chief Justice Hon. Jno. H. Burford Henry W. Scott and A. G. C. Bierer Associate Justices Hon. Horace Speed U.S. Atty. C. A. Galbraith Atty. General E. D. Nix Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier. Public Proclamation of the opening of Court having been made by the Crier, the following proceedings were had and done to wit:

In re Jno L. McAtee
qualifying as Associate
Justice of the Supreme
Court of Oklahoma Territory.

Hon. John L. McAtee presenting to the Court his Commission from the President of the United States appointing him the said Jno. L. McAtee Associate Justice of the Supreme Court of the Territory of Oklahoma and said Commission bearing the seal of the Department of Justice, the oath of Office was then and there administered by the Hon. Frank Dale Chief Justice of the Supreme Court of the Territory of Oklahoma and the said John L. McAtee then and there entered in and upon the duties of Associate Justice of the Supreme Court of Oklahoma.

It was thereupon ordered by the Court that the Commission and oath of Office of Hon. Jno. L. McAtee as Associate Justice of the Supreme Court of Oklahoma Territory be spread upon the Journal of this Court — and that the Clerk is directed to forward a Certified copy of the oath to the Department of Justice at Washington, and that a copy of said oath of office be duly certified to and given to the Secretary of Oklahoma Territory, to be by him recorded and it was further ordered that a Certified Copy of said oath be filed in the office of the Clerk of the Supreme Court.

Grover Cleveland
President of the United States of America
To all who shall see these Presents Greeting:

Know Ye: That reposing special trust and confidence in the Wisdom Uprightness and Learning of John L. McAtee, of Oklahoma Territory, I have nominated and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma, and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers privileges and emoluments to the same of right appertaining, unto him, the said John L. McAtee, for the term of four years from the date hereof, subject to the conditions and provisions prescribed by law.

In testimony whereof I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington the 19th day of February in the year of our Lord one thousand eight hundred and ninety four and of the Independence of the United States of America the one hundred and eighteenth

By the President. Grover Cleveland

Richard Olney
Attorney General

United States of America
Territory of Oklahoma

I John L. McAtee do solemnly swear that I have never borne arms against the United States since I have been a citizen thereof, that I have voluntarily given no aid, countenance, Counsel or encouragement to persons engaged in armed hostility thereto: that I have neither sought, nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States: that I have not yielded a voluntary support to any pretended government, authority, power or Constitution within the United States hostile or inimical thereto,

And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic: that I will bear true faith and allegiance to the same: that I take this Obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the Office of which I am about to enter as Associate Justice of the Supreme Court of Oklahoma Territory, So help me God.

Jno. L. McAtee

Subscribed and sworn to before me this first day of March A.D. 1894.
Frank Dale
Chief Justice.

In re:

Admission Attorneys to practice in Supreme Court.

The following Attorneys were admitted to practice in the Supreme Court of Oklahoma Territory after satisfying the Court as to their qualification and upon taking the prescribed oath as required by law:

Chas. H. Stewart of Perry — whose admission was moved by Hon. Horace Speed
J. S. Parry " Alva " " " " Joseph Wisby
C. H. Wynn " Perry " " " " Harlis
Pat S. Nagle " Kingfisher " " " " Same
F. C. Hunt " Stillwater " " " "

No 91.

United States
Appellant
vs
Clay Peters
Appellee

The above cause at this time was called up, upon the regular call of the Docket and passed — by agreement of the Attorneys — for the time.

No 92.

United States
Appellant
vs
Lanning
Appellee

Be it Remembered that on this the 1st day of March A.D. 1894. The above cause having come on for hearing upon the regular call of the docket. The same was passed for the present time. the Attorneys in the case agreeing to the same.

No 93.

United States
Appellant
vs
Stansberry
Appellee

Be it Remembered that on this 1st day of March A.D. 1894 the above cause having come on for hearing upon the regular call of the docket, it was ordered by the Court that the cause be passed for the present.

No 97.
[illegible] Brat
Appellant
vs
Otto C. [illegible]
Appellee

And now on this first day of March A.D. 1894 Associate Justice [illegible] read his dissenting opinion in the above entitled cause, and the same can be found recorded on page of the book of Opinions.

No. 151.
The Board of Education of Perry
Appellant
vs.
J. S. Harbison Co. Treasurer
Appellee

And now on this first day of March A.D. 1894 the above cause having come on for hearing upon the regular call of the docket, the same was argued and submitted. C. H. Wynn Esqr. appearing for the Appellant and Harris Esqr. appearing for the Appellee

In Re:
Approving the accounts
of N. N. Thomas as
United States Commissioner
for the First Judicial District.

Comes now John F. Stone Esqr Asst U.S. Atty and moves the Court to approve the accounts of N. N. Thomas Esqr U.S. Commissioner residing at Guthrie in the County of Logan, being in the First judicial district said accts. and emoluments being from the of to the 31st day of December A.D. 1894.

The said John F. Stone having shown to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States, and the same appearing in all things reasonable and just and according to law it is therefore ordered and adjudged by the Court that the said accounts amounting to three hundred twenty eight and 05/100 dollars ($\$328^{05}$) be and the same is hereby approved.

In Re
Approving the Accounts
of J. T. Sanderson
U.S. Commissioner for
the First Judicial District.

Comes now John F. Stone Esqr U.S. Asst Atty and moves the Court to approve the accounts of J. T. Sanderson U.S. Commissioner residing at Guthrie in the County of Logan, and being in for First Judicial District. Said accounts and Emoluments being for services from the day of to the 31st day of December A.D. 189[illegible]

The said John F. Stone having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed and rendered as therein stated and according to the laws of the United States and the same appearing in all things reasonable and just and according to law it is therefore ordered and adjudged by the Court that the said accounts amounting to two hundred sixty one and 20/100 dollars ($261.20) be and the same are hereby approved.

And thereupon by order of the Court Proclamation having been made by the Court Crier, an adjournment was taken until March the second A.D. 189- 10 o'clock A.M.

Attest [illegible]
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the second day of March A.D. 94 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the judicial days of the January term of the said Court.

There were present Hon. Frank Dale Chief Justice Hon. John H Burford Henry W Scott A G C Bierer and Jno L. McAtee Associate Justices, Hon. Horace Speed U.S. Atty, C A Galbraith Esqr. Atty General E D Nix Marshal Edgar W Jones Asst ~~Court Clerk~~ and W.A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, the following proceedings were had and done.

No 139

First National Bank of Arkansas City
Appellant
vs
Jones Et Al.
Appellees.

Be it Remembered that on this the second day of March A.D. 94 the above cause coming on for hearing it was agreed that the cause be submitted upon briefs and it was so ordered by the Court

No

Robert Haynes
Appellant
vs
United States of America
Appellee

And now comes N W Hoffsinger Esqr. and asks leave of the Court for 30 days additional time in which to file briefs in the above cause. The Court gives permission and makes the order accordingly.

No 117

Reeder B. Paine
Appellant
vs
John Foster Et Al.
Appellees.

And now comes Harper & Cunningham Esqr. and asks permission of the Court to file additional reply briefs for the appellee in the above entitled cause. The Court grants permission and consents that the reply briefs may be so filed

No 22. Evan D. Cameron
Appellant
vs
J.H. Parker
Appellee

Application for Writ
of Mandamus

And now on this the second day of March A.D. 1894 the above cause having come on for hearing upon the regular call of the Docket Harper S. Cunningham Esqr. asks the Court for a continuance - the request is resisted by C.A. Galbraith Atty General - behalf of appellant and the Court overrules motion for continuance and announces that the cause will be called for argument and submission at 2 o'clock P.M. to-day Mch 2nd A.D. 1894.

No 150
Louis Le Roy
Appellant
vs
The Territory of Oklahoma
Appellee

Application for Writ
of Habeas Corpus.

And now on this the second day of March A.D. 1894 the above cause was submitted upon application for Habeas Corpus

No 153
Squire De Tour
Appellant
vs
The Territory of Oklahoma
Appellee

Appeal from the
District Court of
Logan County

And now comes John Foster Esqr. Atty for Appellant in above cause and asks that his cause be now heard and submitted. Attorney H.R. Thurston for Appellee objects to the proposition and asks of the Court time in which to file reply briefs. The objection is sustained by the Court, and ten days time is given Appellee in which to file briefs. -

No 150
Louis Le Roy
Appellant
vs
Territory of Oklahoma
Appellee

Comes now H.R. Thurston Esqr. and asks permission of the Court to file at an early date briefs in the above cause. Consent of the Court is given

No 117.

Porter B. Price Appellant vs John Foster Et al Appellee } From the District Court of Logan County

And now on this the second day of March [illegible] the above cause having come on for argument upon the regular call of the Docket. Fisher & Cunningham Esqrs. argues the same in behalf of the appellant.

No-

1st National Bank of Guthrie Appellant vs Wetzel Appellee } District Court of Logan County

And now comes J. Blison Esqr Counsel for appellant in above cause and asks that the above entitled cause be argued at this time. J.W. Shartell Esqr. Atty for Appellee announces that the Appellee would prefer that cause be passed for the present and the same is accordingly done

No-

John Dorsett Appellant vs United States of America Appellee } Upon application for Habeas Corpus.

And now comes Geo Gardner Esqr and asks the Court as to whether an opinion in the above cause cannot be reached at this time. The Court states that the motion is under advisement and consideration.

In Re:

Naturalization of Miss Jane Henderson

Comes now Jane Henderson a native of Ireland who upon proving to the satisfaction of the Court that she is entitled to become a naturalized citizen of the United States, it is ordered by the Court that she be declared such upon taking the oath as prescribed by law. The oath was accordingly administered by Bierer J. and a Certificate of full naturalization issued to the said Jane Henderson by the Clerk

At this time by order of the Court a Court recess was taken until 2 o'clock P.M. this date.

At 2 P.M. this day the Court reconvened and after Proclamation had been made by the Crier the following proceedings were had.

No.

John J. Sampson et al
vs.
J. J. Clark Trustee

Agreed Case
in Supreme Court.

Be it Remembered that on this the second day of March A.D. 1894 this same came on for final decision and the Court being fully advised in the premises it is therefore held ordered and adjudged that the Legislature intended that all improvements upon government lands, except all breaking, wells or fertilizing and also lots not deeded, on lands where final proof and final entry had been made, are subject to taxation.

This opinion was delivered by Associate Justice Bierer all the Justices concurring and can be found on page book of opinions and a part of this Record.

No.

John Dowell
Appellant
vs
United States of America
Appellee

Upon Application
for Habeas Corpus.

And now on this second day of March A.D. 1894 comes John F. Stone Esqr. and asks leave to file motion in above cause in regard to diminution of record. Leave granted and motion so filed.

Geo Gardner Esqr. Atty for Appellant asks leave of Court to file suggestion in answer, and is ordered to do so promptly.

No.

Erwin D. Cameron
Appellant
vs
J. H. Parker
Appellee

And now on this second day of March A.D. 1894 the above cause having come on for argument J. S. Overstreet Esqr of counsel for defence challenges the Writ the Court orders that argument be proceeded with which is accordingly done

No 150
Louis Le Roy
Appellant
vs
Territory of Oklahoma
Appellee

} Upon Application
for Writ of Habeas Corpus.

And now on this second day of March A.D. 1894 Comes [illegible] Austin Esqr. Attorney for Appellee in the above entitled cause, and asks leave of the Court to file briefs in the above cause. Consent of the Court is given, with instructions to file same at an early day.

And thereupon by order of the Court an adjournment was taken until 7½ P.M. this date, and it was so Proclaimed by the Court Crier.

At 7^{30} P.M. Mch. 2nd A.D. 1894 the Court reconvened after recess, and the same officers were present as in the day session.

Upon order of the Court Proclamation having been made of the opening of the Court, the following proceedings were had and done.

In Re:
Paying tributes of
Respect to the memory
of the late Judge W.D. Lindley

The Hon. Chief Justice at this time announces that this session of the Court is held for the purpose of paying tributes of respect to the memory of the late Judge W.D. Lindley.

Comes now Judge Charles Brown and reads the following Resolutions which by order of the Court are spread upon the Records hereof.

Addresses were then made by Hon. E. B. Green Ex Chief Justice Col. Thomas Corbett Joseph W. Wisby Esqr. Roy T. Hoffman Esqr. in behalf of the Territorial Bar Association, and by Associate Justice Henry W. Scott in behalf of the Hon. Judges of the Supreme Court, and also by Hon. Frank Dale Chief Justice in behalf of the Court and the Attorneys.

Upon Motion of Hon. Jasper A. Cunningham President of the Territorial Bar Association the Court ordered that the minutes of this session be recorded upon the journal of this Court.

And thereupon by order of the Court Public Proclamation of having been made by the Court Crier the Court was adjourned until 10 o'clock Mch. 3rd A.D. 1894.

Attest
[illegible] Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the third day of March A.D. 93, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment - the above date being one of the judicial days of the January term of said Court.

There were present Hon. Frank Dale Chief Justice Hons. John H. Burford Henry W. Scott A. G. C. Bierer and Jno. L. McAtee Associate Justices. Hon. Horace Speed U.S. Atty. Hon. C. A. Galbraith Atty General of Oklahoma Ty. E. D. Nix U.S. Marshall Edgar W. Jones Clerk and W. A. Snyder Court Crier.

Public Proclamation of the opening of Court having been made by the Crier ~~the~~ upon order of the Court. the following proceedings were had and done.

And now comes C. A. Galbraith Esqr. and moves the admission of E. D. Cameron as a practicing Attorney in this Court and upon satisfactory proof having been presented to the Court as to his fitness and ability he was duly admitted upon taking the prescribed oath.

No. 157
Turner B. [illegible]
Appellant
vs
The Guthrie Townsite Board
Appellee

And now on this the third day of March A.D. 1894 the above cause having come on for oral argument, it was announced by the Court that the same be passed until the June term of Court 1894.

No. 131.
The National Bank of Guthrie
Appellant
vs
W. G. Earl
Appellee

The above cause having been called upon the regular call of the docket, the Court ordered that the same be continued over until the June 1894 term of this Court.

No.
E. D. Cameron Plff.
vs
J. H. Parker Deft.

And now on this 3rd day of March 1893 - the above cause was called upon motion to quash, and the said motion was by the Court overruled and Defendant required to file answer to Complaint.

No 117
Verden B. Paine
Appellant
vs
John Foster Et al
Appellees

And comes now Hon. Horace Speed U.S. Attorney for Oklahoma who asks permission of the Court to file additional briefs in the above entitled cause, Permission of the Court is given and briefs accordingly filed

In Re:
Assigning Hon. Jno. L. McAtee
to the Fifth Judicial District
as judge.

It is hereby ordered by the Supreme Court that Hon. Jno. L. McAtee be at this time, and is hereby assigned to the Fifth Judicial District of Oklahoma T'y.

No.
Amos A. Ewing, Plaintiff
vs
M. S. Turner, Defendant

And now on this the 3rd day of March 1894 the above cause having come on for final judgment and decision, the same was decided in favor of the Defendant Chief Justice Dale and Associate Justice Burford Concurring as to the Conclusions, but dissenting as to the reasons assigned.
The opinion was read by Judge Scott and can be found on Page Book of Opinions as a part of this Record.

No.
Dunham Appellant } Appeal from the District Court of Oklahoma County.
vs
Holloway Appellee

And now on this the 3rd day of March A.D. 1894 the above cause having come on for final judgment and decision, it was held by the Court that the judgment of the lower Court be reversed and the case remanded.
The opinion was read by Chief Justice Dale all the Judges concurring and can be found on Page - Book of Opinions as a part of this record.

No.

Prior P. Smith et al
Appellants
vs
The Bank of Kingfisher
Appellee

And now on this the 3rd day of March A.D. 1894 the above cause having come on for final judgment and decision it was held by this Court that the judgment of the lower Court in all things be sustained at the cost of the Plaintiffs in error.

This Opinion was read by Judge Scott all the justices concurring, and can be found on Page   Book of Opinions and a part of this Record.

In Re:
Attaching the
Sac and Fox Agency
to Lincoln County
for Judicial Purposes.

Be it Remembered that on this the third day of March A.D. 1894 the Supreme Court of the Territory of Oklahoma being duly organized in the City of Guthrie, did then and there order that the land occupied by the Sac and Fox Agency within Lincoln County, Oklahoma Territory be and is hereby attached to Lincoln County O.T. for judicial purposes and it is further ordered that a copy duly certified be mailed to the Clerk of the District Court of Lincoln County. O.T.

In Re:
Setting terms of
Court in and for
Beaver and Day County:
Oklahoma Territory.

It is hereby ordered that a term of the District Court be and is hereby set for Day County Oklahoma beginning on May the 10th A.D. 1894.

It is further ordered that a term of Court be, and is hereby set for Beaver County Oklahoma by beginning on the 22nd day of May A.D. 1894.

The Clerk of this Court is directed to mail a certified copy of this order to the Clerks of the Court of Beaver and Day Counties, and it is further Ordered by the Court that the orders heretofore made setting ~~terms~~ periods for terms of Court in the above named Counties are hereby vacated and set aside.

In Re:
Assigning Kickapoo Sac and Fox and Iowa Country to Oklahoma and Pottawatomie Co.

It is hereby ordered that the order of Court contained on page 9 of this record attaching the Iowa Sac and Fox and Kickapoo country to County No 2 for judicial purposes be so amended as to attach all of said country to the Counties of Pottawatomie and Oklahoma.

No.
Ernest D. Cameron as Superintendent of
Public Instruction and ex Officio Auditor. Plaintiff
vs.
J.H. Parker
Defendant.

Come now the parties plaintiff in person and by his Attorneys C.A. Galbraith Attorney General, Wisby and Horner and J.C. Strang his Attorneys and the defendant in person and by Harper S. Cunningham and D.S. Overstreet his Attorneys, and this cause comes regularly on before the Court for hearing upon the Defendant's motion to quash and set aside the Alternative writ of Mandamus heretofore issued in said cause, which motion is in the words and figures following: to-wit, "In the Supreme Court of the Territory of Oklahoma, March Term 1894.

Motion to set aside and quash the Alternative Writ of Mandamus.

Ernest D. Cameron, as Superintendent of Public Instruction and ex officio Auditor, Plaintiff. vs. J.H. Parker defendant.

Comes now J.H. Parker defendant in the above entitled cause and respectfully moves the Honorable Court, to set aside and quash the alternative writ of Mandamus heretofore issued in this cause for the following reasons: to-wit,

First Because as shown upon the face of said writ this Honorable Court has not jurisdiction in this proceeding to grant the relief prayed for.

Second Because said writ does not state facts sufficient to entitle Plaintiff to the relief sought.

Third Because said writ does not state facts sufficient to constitute a cause of action against this defendant in favor of said Plaintiff.

Fourth Because as shown upon the face of said writ and upon the allegations and statements therein contained the said plaintiff has a plain, speedy and adequate remedy at law. J.H. Parker, by his Attorneys Harper S. Cunningham and D.S. Overstreet, atty."

And after argument of counsel the decision of said motion was taken under consideration by the Court until March 3rd 1894 the same being one of the judicial days of the January term of said Court and afterwards: to-wit: on the 3rd day of March 1894 the same being one of the judicial days of the January 1894 term of said Court, said cause came on for further proceedings: Whereupon the Court overruled the Defendant's motion heretofore mentioned to quash and set aside the Alternative writ of Mandamus issued in this cause, to which ruling of the Court the defendant at the time duly excepted, which exception was allowed by the Court: and thereupon the defendant filed his return or answer to the Alternative writ of Mandamus heretofore issued in this cause; which return and answer is in the words and figures following to-wit: (Answer with files)

Thereupon this cause was submitted to the Court, upon said and return or answer without the introduction of any evidence or any further proceedings: Whereupon the Court taking said cause under advisement and consideration upon said alternative writ and return or answer, found that the statements averments and allegations of the defendants return or answer to said alternative writ do not state facts sufficient to join an issue, and that the prayer of the alternative writ ought to be granted and that said plaintiff is entitled to a peremptory writ of Mandamus herein.

It is therefore considered ordered and adjudged by the Court, that the defendant J.H. Parker, immediately deliver to the plaintiff, Ivan D. Cameron, Superintendent of Public Instruction and Ex officio Auditor of the Territory of Oklahoma all of the books records files furniture and insignia and paraphernalia of every nature, kind and description pertaining or belonging to said office of Superintendent of Public Instruction and Ex Officio Auditor of the Territory of Oklahoma. Wherein let a peremptory writ of Mandamus issue:

It is further considered ordered and adjudged by the Court that said defendant, J.H. Parker pay the costs of this action taxed at dollars and cents. To all of which ~~rulings~~ considerations, orders and judgment of the Court, the defendant J.H. Parker at the time duly excepted and prayed an appeal therefrom to the Honorable Supreme Court of the United States, which was allowed as provided by law.

And thereupon by order of the Court Public Proclamation having been made by the Court Crier the Court was adjourned subject to the call of the Hon. Chief Justice

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the tenth day of April A.D. 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment and in obedience to the call of the Hon Chief Justice, the above date being one of the judicial days of the January term of the said Court,

There were present Hon. Frank Dale Chief Justice Hon. A.G.C. Bierer and Hon Jno. C. McAtee Associate Justices Hon. Horace Speed U.S. Atty Hon E.D. Nix U.S. Marshal Hon C.A. Galbraith Attorney General – Edgar W. Jones Clerk and W.A. Taylor Court crier.

Public Proclamation of the opening of Court having been made by the Crier – the following proceedings were had and done.

In Re
Frank McMaster
Upon application for
Writ of Habeas Corpus.

Be it Remembered that on this the 10th day of April A.D. 1894 the above cause having come on for hearing upon a Motion filed to set aside the order of Associate Justice Burford granting bail to the said Frank McMaster. Comes now J.H. Woods of Counsel for the Territory and presents the motion to vacate and set aside said order.

And now comes Hon E.B. Green of the Attys for McMaster and challenges the procedure. The challenge is overruled by the Court, exceptions noted and argument is proceeded with by Hons E.B. Green H.S. Cunningham and D.S. [illegible] in behalf of McMaster and by Hon C.A. Galbraith Atty General and J.H. Woods in behalf of the Territory.

The Court after consideration sets aside the order of Associate Justice Burford granting the Defendant bail and remands the Defendant back to the custody of the Sheriff of Oklahoma County.

Upon bail being applied for by the Defendant the same was denied with the suggestion that bail be applied for before the Judge of the District Court.

The opinion in the above cause was delivered by Associate Justice Bierer and can be found on Page – Book of Opinions and a part of this record

And thereupon by order of the Court Public Proclamation having been made by the Court Crier, the Court was adjourned until June A.D. 1894.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the Eighteenth day of June A.D 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie — the above date being the first judicial day of the June term of the said Court

There were present Hon Frank Dale chief justice Hons Jno H. Burford and A.G.C. Bierer Associate Justices Hon C.R. Brooks U.S. Atty Hon E.D. Nix U.S. Marshal Edgar W. Jones clerk and W.A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Court Crier, the following business was had and done.

In Re:
Changing the date
for the June term of
the Supreme Court.

And now on this the 18th day of June A.D. 1894 the same being one of the judicial days of the June term of the Supreme Court, and the said Court being duly organized in the City of Guthrie did then and there order that the June terms of the Supreme Court of the Territory of Oklahoma shall be held hereafter beginning on the third Wednesday of June each year and that the order heretofore made setting the June term beginning on the third Monday each June — be and is hereby revoked and set aside.

In Re:
Revoking previous order
of Supreme Court directing
that no District Courts be
held in the Territory of Oklahoma
during the sitting or on the same
day that the Supreme Court of the
Territory of Oklahoma shall be in
session.

Be it Remembered that on this the 18th day of June A.D 1894 the same being one of the judicial days of the June term of said Court and the said Court being duly organized in the City of Guthrie did then and there order that the order made heretofore viz: on the day of A.D 189 directing that no District Courts be held in any of the Judicial Districts of Oklahoma on the same day that the Supreme Court of the Territory of Oklahoma should be in session be and is hereby revoked and set aside.

And thereupon by order of the Court

[illegible]

Public Proclamation ~~of the of~~ having been made by the Crier the Court was adjourned until June 20th 1894 at 3.30 PM.

Attest
Edgar W. Jones
Clerk Mp. Court.

United States of America
Territory of Oklahoma

Be it Remembered that on this the 20th day of June AD 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. the above date being one of the judicial days of the June term of the said Court.

There were present Hon Frank Dale Chief Justice Hon John H Burford and Hon A G C Bierer Associate Justices. Hon C R Brooks U S Atty Hon C A Galbraith Attorney General - Hon. E D Nix US Marshal Edgar W. Jones Clerk and W A Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Court Crier - the following business was had and done.

Comes now H E Asp Esqr. and moves the Court that W W Wampler Campfield and W S Whittinghill of the Enid O.T. bar be admitted to practice in the Supreme Court of Oklahoma.

And at the same time and place Comes C A Galbraith Esqr who moves for the admission of C. C Daniels and Mackey of Pond Creek - Abel S Dungan of Woodward and Madden of Pond Creek O.T.

Also at the same time and place Comes Harper S. Cunningham Esqr - who moves the admission of Van R Pond of Blackwell O.T.

And at the same time and place John Foster Esqr. moves the admission of Allen of the Guthrie bar.

Upon satisfactory proof being made to the Court of the above Attorneys learning and fitness and upon their taking the prescribed Oath as provided by law - they were each and all duly admitted to practice in the Superior and the Inferior Courts of Oklahoma Ty.

No 177

Thomas O'Toole
vs
Territory
} Upon application for Writ of Habeas Corpus

And now on this twentieth day of June 1894 the above cause was by the Court assigned for hearing on the 21st day of June A.D. 1894.

No 140½

Johnson and Bennett
vs.
Rogers Willis et al
} From Probate Court Kingfisher Co.

And now on this 20th day of June 1894. the above cause having been reached upon the regular call of the Docket - the same was passed by the Court without action upon the suggestion of M J Kane Esqr.

No 162
C. P. Smith et al } Upon Motion
vs. } for Review
The Bank of Kingfisher }

And now on this 20th day of June 1894 the above cause having been reached upon the call of the Docket the same was ordered by the Court to be set down for hearing on June 21st A D 1894.

No 187
Albert E. Sight } From Probate Court
vs. } Canadian County
Canadian County Bank }

And now on this the 20th day of June A.D. 1894 the above cause having been reached upon call of the Docket, the same was passed and the Court ordered that a reasonable time be given the parties in which to file briefs.

No 190
Wm N. Dunn } From Probate Court
vs. } O County
Saml Drummond }

And now on this 20th day of June A.D. 1894 the above cause having come on for hearing upon the call of the Docket the same was by order of the Court passed for the present the same appearing to be not regularly at issue at the present time

No 193
Johnson as Sheriff "O" County } Application for Writ
vs } of Mandamus
E D Cameron Auditor &c }

And now on this 20th of June 1894 the above cause having come on for hearing upon the call of the Docket the same was submitted upon stipulation and an order given that briefs be filed

No 173
P W Smith } From Probate Court
vs } K County
S Kaufman and Co }

And now on this 20th day of June 1894 the above cause having been reached upon the call of the Docket the same was set down for hearing on June 21st at 10 am and the Court directs the Clerk to notify the atty's interested in said Cause.

No 146. County Commissioners of Cleveland County
vs.
W.H. Leavell Et al.

And now on the 20th day of June A.D. 1894 Comes Geo Gardner Esqr. and asks for a reasonable length of time in which to file briefs for appellant in above cause - the Court after deliberation passes the case for the present.

No 182 Calvin F. Mason } from Probate Court
vs } O County
Fullerton C. Cromwell }

And now on this 20th day of June A.D. 1894 the above Cause having been reached upon the Call of the Docket - time was given by the Court for briefs to be filed - upon application of W.R. Brown Esqr Atty for appellee.

No 190. Collier } from Probate Court
vs } Pottawatomie
Territory of Oklahoma }

And now on this 20th day of June 1894. Comes J.R. Keaton Esqr. And asks for the Appellant that a day Certain be set for argument in the above cause. The Court advises Attorney Keaton that the above cause was submitted at the last regular term of this Court.

No 124 Coyle and Smith } from District Court
vs } of Logan County
Jos Baum }

And now on this 20th day of June 1894 the above Cause having been reached upon the regular call of the Docket, the same was by order of the Court passed for the present time

No 133 A.T. and S.F. R.R. Co } Appeal from ~~Dist~~
vs } Court Logan County
John R Johnson }

And now Comes J.R. Keaton Atty for Appellee in the above cause and moves the Court that the above Cause be Continued No objection being offered by Counsel for Appellant the Court orders same Continued for the term

No 170 A.T. and S.F. Co Appellee } From District Court of
vs } Oklahoma County
Blevins Appellant }

And now Comes [illegible] Esqr- Atty for Appellee

in the above entitled cause and asks the Court that a day certain be named in which the above cause can be argued.
The Attys for Appellant being absent the Court passed ~~the~~ cause for the present term.

No 185

Thomas McMeachan } From Dist Court
vs. } Kingfisher County
J.P. Christy }

And now on this 20th day of June 1894 Comes M J Kane Counsel for Plff in Error in above Cause and presents to the Court a stipulation for a Continuance in the above Cause therefore the Court orders the above Cause continued for the term.

And thereupon by order of the Court Public Proclamation having been made by the Crier the Court was adjourned until 10 oclock Am June 21st 1894.

Attest
Edgar W Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty first day of June A.D. One thousand Eight Hundred and ninety four, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. the above date being one of the Judicial days of June term of said Court.

There were present Hon. Frank Dale Chief Justice, Hons Jno. H. Burford Henry W. Scott and A G C Bierer Ass. Justices Hon C R Brooks U.S. Atty Hon C A Galbraith Atty Genl of Oklahoma Ty. Hon. E D Nix U.S. Marshal- Edgar W. Jones Clerk and W H Taylor Court Crier

Public Proclamation of the opening of Court having been made by the Court Crier, by order of the Court, the following business was had and done.

And now Comes J.C. Strang who moves the admission of Atty Lindsey of Topeka Kansas - to practice in the Supreme Court of Ok. Ty. The Court being satisfied as to the qualifications and competency of Mr Lindsey - he was duly declared admitted to practice in the Superior and Inferior Courts of this Territory - upon having taken the prescribed oath.

No 177

Thomas O'Toole
vs
Territory of Oklahoma
} Upon application for Writ of Habeas Corpus-

And now on this 21st day of June A.D. 1894 Comes H S Brown of Counsel for Appellant in above Cause and moves that this cause be dismissed. The Court upon and after consideration grants the said motion and the cause is ordered dismissed at Cost of Appellant.

No 62

C.C. Smith Et al
vs
Bank of Kingfisher
} Upon Application for Re hearing

And now on this the 21st day of June A.D. 1894 The above cause having been reached upon the regular call of the Docket, upon motion for Re hearing- The same was argued and submitted. W.H. McCartney and M.J. Kane appearing for appellants and J.C. Strang and M.M. Hoffsinger appearing for the Appellees.

Upon application leave was given by the Court for the Appellants to file additional briefs in above Cause-

Leave was also given appellees the same privilege-

No 173 C.W. Smith
vs
J. Hoffman and [illegible] } From Probate Court
of [illegible] County

And now on this the 21st day of June A.D. 1894 Comes J.C. Strang of Counsel for Appellee and asks leave to file motion to dismiss in the above cause— Leave given and motion accordingly filed with the Clerk

No 146 The County Commissioners of Cleveland County
vs
W.H. Newell Et al.

And now Comes Geo. Gardner of Counsel for Appellants and asks leave of the Court for additional time in which to file briefs in above cause— The Court direct that briefs be prepared,

No. 132 John Dossett
vs
United States } Upon Application
for Writ of Habeas Corpus.

And now on this 21st day of June A.D. 1894 Comes Geo. Gardner of Counsel for Appellant and asks leave of the Court to ~~file~~ further orally argue the above cause.
The Court after consideration consents that further oral argument be made in above cause.

No 161 The City of Enid
vs
C.R.I.&P. R.R. } Upon application
for Writ of Mandamus

And now Comes John I. Dille of Counsel for Appellees in above cause and files with the Clerk a Motion to quash in the above entitled cause.

No 133 A.T. and S.F. R.R. Co
vs
John R. Johnson } From District Court
of Logan County

And now on this 21st day of June 1894 Comes H.E. Asp Attorney for Appellant in above cause and moves the Court that the Appellees be required to file briefs within a reasonable length of time in the above Cause— The Court after Consideration requires Appellees to prepare and file their briefs on or before September 1st 1894.

No 157 Robert Dorman and Cliff Tucker
vs
Geo. C. Saunders } From District Court
Canadian County

And now on this 21st day of June 1894 Comes John I. Dille Esq. and asks the Court that a day certain be set

soon for argument in above cause.
The Court after consideration requires that briefs in the above cause be filed by July 5th 94.

No 156
Meus Pitman
vs
The City of El Reno
} from District Court
} of Canadian County

And now on this the 21st day of June A.D. 1894 Comes John I Dille Esqr. and asks the Court that a day certain be named for oral argument in the above cause –
The Court after consideration grants the request and sets the case for hearing on June 29th 1894.

No 173
C M Smith
vs
S Kaufman and Co
} from the Probate Court
} K County

And now on this the 21st day of June A.D 1894 the above cause having come on for decision upon motion to dismiss, It was held by the Court that the motion should be sustained and it was so held.

No 161.
The City of Enid
vs
C R and I P R R Co.

And now on this 21st day of June A.D. 1894 the above cause having come on for hearing upon a Motion to quash the cause was continued by the Court until June 22nd 94 at 10 a.m.
Comes now H. S. Whittinghill of Counsel for appellants and asks leave of the Court to file Motion to quash the Motion to quash filed by Appellees in above cause. The Court grants the request and the motion is so filed.

And now comes J H Harris Esqr and moves the Court that Ruffner Esqr of the Perry Okl Bar be admitted to practice in this Court. Upon the Court being satisfied as to Mr Ruffners qualification and fitness he was declared admitted to practice in the Superior and Inferior Courts of Oklahoma, upon having the prescribed oath administered

No 197
Jas H. Smith
vs
Territory of Oklahoma
} Upon Application
} for Writ of Habeas Corpus –

And now on this the 21st day of June 1894. the above cause having been reached upon the call of the docket the same was argued and submitted Harris Esqr. appearing for the Territory and Ruffner Esqr. appearing for the Appellant

No 71

Clay Peters } Upon application
vs } for Rehearing
United States }

And now on this 21st day of June AD 1894 the above cause is set down for hearing on June 25th 94 at 10 am

No 72

Dempsey } from District Court
vs } Oklahoma County
United States }

And now on this 21st day of June AD 1894 the above cause having been reached upon the regular call of the docket the same was set down for hearing on June 25th 94. at 10 am

No 73

S. Stansberry } from District Court
vs } Oklahoma County
United States }

And now on this 21st day of June AD 1894 the above cause having been reached upon the regular call of the docket the same was set down for hearing on June 25th 94 at 10 am

And thereupon by order of the Court Public Proclamation having been made by the Crier the Court was adjourned until 10 o'clock am June 22nd 1894.

Attest,
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the 22nd day of June A.D. 1894 the Supreme Court of the Territory of Oklahoma pursuant to adjournment the above date being one of the judicial days of the June term of said Court There were present Hon. Frank Dale Chief Justice Hons Jno H. Burford Henry W Scott A G C Bierer and Jno L. McAtee Associate Justices. Hon C R Brooks US Atty Hon E D Nix US Marshal Edgar W Jones Clerk and W M Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier by order of the Court the following business was had and done.

And now Come J H Strang Esqr and moves the Court to admit C R Brooks to practice in the Supreme Court of Ok. Ty. At the same time and place
✓ W W Thomas moves the Court to admit Saunders of the Guthrie bar.
At the same time D S Rowntree moves to admit Chambers of the Enid bar
At the same time C A Galbraith moves the admission of Taylor

After Examination the Court having been satisfied as to the competency and qualifications of the above applicants, they were duly declared admitted to practice in the Superior and Inferior Courts of this Territory upon their having taken the prescribed oath.

Geo Tyler and Addie C. Tyler
No 100 vs
Ezekiel Wheeler

And now Comes J J Cutlip Esqr and asks permission of the Court to argue the above cause upon motion to dismiss The Court after consideration refuses to hear oral argument

Richardson
No 109 vs
Orville Shelby

Comes now J H Strang of Counsel for defence in above cause and asks of the Court that Motion to dismiss in above cause be at this time passed upon.

The Court announces that the said motion is under consideration and that the opinion will be given at an early date.

Orrin P Smith Et al
No 62 vs
The Bank of Kingfisher

And now ~~Attorney~~ Comes W W Noffsinger Attorney for respondents in above cause and asks leave of the Court to file reply briefs in the above cause upon appellants motion for rehearing and review and it is hereby considered and ordered by the Court that Defendant in error be allowed and granted the right to file said reply briefs — which is accordingly at this time done.

No 138 Robert Maynes
vs
United States

And now comes Hon C R Brooks Atty for the United States for Oklahoma by and asks leave of the Court to file a motion to affirm in the above entitled cause.
Consent of the Court is given and motion is accordingly filed

No 31 Fisher
vs
United States

And now on this 22nd day of June 1894 comes Hon C R Brooks U.S. Attorney for the Territory of Oklahoma and asks leave of the Court to file a motion to affirm in the above entitled cause.
The matter having been considered by the Court, consent is given and motion is accordingly filed.

Clay Peters
No 71 vs
United States

And now on this 22nd day of June 1894 Comes Hon C R Brooks U.S. Attorney for the Territory of Oklahoma and asks leave of the Court to file a motion to affirm in the above entitled cause.
Consent of the Court is given and motion is accordingly filed

John Dempsey
No 72 vs
United States

And now comes Hon C R Brooks U.S. Attorney for the Territory of Oklahoma and asks leave of the Court to file a motion to affirm in above cause —
Leave of the Court is given and motion is accordingly filed.

L. Stansberry
No 73 vs
United States

And now Comes Hon C R Brooks U.S. Attorney for the Territory of Oklahoma and asks leave of the Court to file a motion to affirm in the above entitled cause.
Leave of the Court is given and motion is accordingly filed

E O Tyler and Sadie C Tyler
vs
Ezekiel Wheeler

No 160

And now on this 22nd day of June 1894 the above cause having come on for disposition upon a motion to dismiss It was held by the Court after consideration that the motion be sustained, and it is held ordered and adjudged that the motion be and sustained and the above cause dismissed. All the Judges Concurring.

M J Carr Et Al
vs
R C Mills Receiver Et Al

No 175

And now on this 22nd day of June AD 1894 the above cause having come for disposition upon a motion to dismiss

The Court after consideration and deliberation held ordered and adjudged that the motion be sustained and the above cause was accordingly dismissed, All of the Judges Concurring

Louis Le Roy
vs
Philip Houck

No 166

And now on this 22nd day of June 1894 the above cause having been called up for disposition upon a motion to dismiss. The Court being fully advised in the premises held ordered and adjudged that the motion be sustained and the cause is accordingly dismissed

All of the Judges Concurring.

James Brown
vs
Abraham Parker

No 183

And now on this 22nd day of June 1894 the above cause having been called up upon a Motion to Elect.

The Court after consideration and being duly advised in the premises held ordered and adjudged that the motion be overruled.

All the Judges Concurring.

Richardson
vs
Orville Shelby

No 109

The above cause having come on for disposition upon a motion to dismiss, the Court being fully advised in the premises and after consideration held ordered and adjudged that the motion be sustained and cause dismissed.

All the Judges Concurring.

B H Woodson
No 174 vs
J E Detrick

And now Comes J G Strang Esqr of Attorneys for Respondent in above cause and moves the Court that the above cause be dismissed. The Court being fully advised in the premises and after Consultation held ordered and adjudged that the said above entitled be and is hereby dismissed.
All of the judges concurring

The County Attorney of Oklahoma County
No 196 vs
The City of Oklahoma

And now on this the 22nd day of June 1891 the above cause having been called up for argument the same was argued orally by J H Woods and Finley for the appellants and by J H Woods for the Respondents and said cause was at this time submitted

Coyle and Smith
No 124 vs
Dr Bauer

And now Comes J H Shartell of counsel for appellants in the above cause and asks leave of the court to argue orally the above cause before the full bench. After consideration consent of the Court was given and cause passed for the present

National Bank of Guthrie
No 134 vs
McEarl

And now Comes J H Shartell of Counsel for Respondents in the above cause and asks leave of the Court to orally argue the above cause before a full bench. After consideration the Court gives consent and the cause is passed for the present.

W H Irwin
No 130 vs
Mollie Carew

And now Comes A R Thurston Attorney for appellee in above cause and asks leave of the Court for additional time in which to file briefs in above cause. The Court after consideration allows him until Monday June 26th in which to prepare and file the same

No 102

F. M. Carnahan
vs
A. Guthrie and A. Guthrie and Co.

And now on this 22nd day of June A.D. 1894 the above cause having come on for disposition upon a motion to dismiss — the Court after consideration and being duly advised in the premises — held ordered and adjudged that the same be not sustained — and that the cause stand for hearing. All the Judges concurring.

No [illegible]

Dunham et al Appellants
vs
J. R. Holloway Appellee

And now on this the 22nd day of June 1894 the above cause having come on for consideration upon a motion for Rehearing. The Court after consideration orders and adjudges that the Petition be allowed — Above cause to be taken and considered without further argument or briefs.

No 75

The City of Oklahoma
vs
The W. M. Richardson Lumber Co.

And now on this 22nd day of June A.D. 1894 the above cause having been called up upon a motion to dismiss The Court after consideration overrules the motion and the cause stands for hearing. It is then agreed by Counsel that said cause be submitted on briefs without oral argument and it is so ordered by the Court.

And thereupon by order of Court Proclamation having been made by the Crier Court adjourned until 10 am. July 23rd 94.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty third day of June A.D. 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the Judicial days of the regular June term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H. Burford Henry W Scott A G C Bierer and Jno L McAtee associate Justices. Hon. C R Brooks U.S. Attorney Hon E D Nix U.S. Marshal Edgar W Jones Clerk and W M Taylor Court Crier.

By order of the Court Public Proclamation having been made of the opening of Court the following business was had and done.

Comes now W W Maupler Esqr and moves the admission to practice law of F E Mason of "L" County.

✓ Upon proving satisfactory qualifications to the Court and the requisite oath having been administered he was duly declared admitted to practice in the Superior and Inferior Courts of Oklahoma Ty.

No 153 Squire Devore vs Territory of Oklahoma } From Dist Court Logan County

And now to-wit on this 23rd day of June A.D. 1894 the above cause having been called up by J. F. Foster of Counsel for the appellant with request that appellees be required to file briefs within a certain time. It was therefore held and adjudged by the Court that the appellees file briefs in above cause on or before June 30th instant.

No 171 Jane J. Peckham vs John H Haught } From District Court A County

And now to-wit on this 23rd day of June A.D. 1894 the above cause having been called up by the Attorneys for appellant upon request that appellee be required to file briefs. It was therefore held and adjudged by the Court that appellee file briefs in above cause on or before June 25th 1894.

No 143 A.H. Horner vs J P Christy } From District Court Kingfisher County

And now to-wit on this 23rd day of June 1894 the above cause having been reached upon the regular call of the Docket it was ordered by the Court that the said cause be continued for the term.

No.
R W Higgins
vs
Territory of Oklahoma

And now to wit on this the 23rd day of June 189[illegible] Come the attys for appellant and appellees and ask leave to submit the above cause upon a stipulation. Consent of the Court is given and cause is ~~filed~~ submitted.

No 155
John R Clark Et al
vs
Ewing Et al. } Application for writ of Mandamus.

And now to wit on this 23rd day of June A.D. 1891 Comes Hon. C A Galbraith Attorney General of Oklahoma and asks leave of the Court that they issue an order in above cause directed to Amos A. Ewing and citing him to appear forthwith before the Supreme Court of Oklahoma Ty. and to show cause why he should not be punished for contempt. The motion was filed and an order entered by the Court to the said Amos A Ewing as requested

No 13[illegible]
Coyle and Smith
vs
Joseph Baum } Appeal from District Court of Logan County

And now to wit on this 23rd day of June 189[illegible] the above cause having been reached upon the regular call of the Docket - Comes J H Shartell Esqr and asks the Court that the above cause be reassigned and set down for hearing upon another date certain. The Court after consideration sets the above cause down for argument on June 30th inst

No 13[illegible]
McEarl
vs
National Bank of Guthrie } From District Court of Logan County.

And now to wit on this 23rd day of June 189[illegible] the above cause having been reached upon the regular call of the Docket, Comes now J H Shartell Esqr and asks the Court that this cause be reassigned and set down for hearing upon another date certain. And the Court after consideration being fully advised in the premises sets the above cause down for argument on June 30th instant.

No 161
The Territory of Oklahoma
Ex Rel ~~C A Galbraith~~ W W Whittington
vs
The Chicago Rock Island and Pacific RR Company

And now to wit on this 23rd day of June 189[illegible] the above cause having been reached upon the regular call of the Docket Come the Attorneys of record in said Cause and ask the Court that said cause be passed for the present.

The Court after consideration sets the above cause come for argument for June 26th 1894. 10 am

No 77
Dunham Etal
vs
Holloway Etal
} from District Court of Oklahoma County

And now to wit on this 23rd day of June 1894 the above cause coming on to be heard upon a motion for Review and Rehearing_ It was held by the Court that said cause be reinstated and resubmitted at this time_ said cause to be submitted without further argument or briefs

No 140½
Rogers Willis Etal
vs.
Bonnett and Soloman
} from Probate Court Kingfisher County

And now on this 23rd day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted. T.J. Cutlip Esqr appearing in person and making oral argument for appellants_

No 140
Robinson and Gibson
vs
B V Timmins
} from District Court Kingfisher County

And now on this 23rd day of June A D 1894 the above cause having been reached upon the regular call of the Docket_ the cause was submitted at this time on briefs, All parties to the action consenting.

And thereupon by order of the Court Public Proclamation having been made by the Crier the Court adjourned until June 25th 1894 at 10 am.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the 25th day of ~~July~~ June in the Year of Our Lord One thousand Eight hundred and Ninety four, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the Regular Judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice Hons. John H. Burford Henry W. Scott A. G. C. Bierer and John L. McAtee Associate Justices Hon C R Brooks U.S. Attorney Hon E. D. Nix U.S. Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier

Public Proclamation of the opening of Court having been made the following proceedings were had and done.

Comes now C R Redick Esqr. and moves the admission of Warren K Snyder of the Oklahoma bar to practice in the Supreme Court

The Court becoming satisfied as to the fitness and qualifications of the applicant the prescribed oath was administered and he was declared duly admitted to practice in the Superior and Inferior Courts of Oklahoma -

And now to wit on this 25th day of June A.D. 1894 Comes C R Redick Esqr. and moves the admission to practice of B B Blakeney of the Kentucky bar - The Court after consideration having become satisfied as to the qualifications of the applicant, the prescribed oath was administered and he was declared duly admitted to practice in the Superior and Inferior Courts of this Territory.

No 46 Jeffrey and Co
vs.
Wolf and Son.

And now to wit on this 25th day of June A.D. 1894 comes C. H. Horner of Counsel for appellants in above cause and asks leave of the Court to be heard in oral argument in above cause upon the motion pending for Review and Rehearing.

The Court at this time takes the matter under Consideration and advisement.

No 71 Guy Peters
vs
United States } From District Court Oklahoma County

And now to-wit on this 25th day of June 1894 the above cause coming on for argument upon the regular call of the Docket the same was argued and submitted. Hon. Horace Speed and Hon C R Brooks representing the United States and C R Redick Amos Green and Harper & Cunningham appearing for the Appellant

No 72 John Dempsey
vs
United States
} From District Court
of Oklahoma County

And now to wit on this the 25th day of June 1894 the above cause, having been reached upon the regular call of the Docket the same was at this time argued and submitted.

No 73 Leander Stansberry
vs
United States
} From District Court
of Oklahoma County

And now on this 25th day of June A.D. 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted.

No 142 Isaac C Renfrow
vs
United States
} From District Court
of Pottawatomie County

And now to wit on this the 25th day of June 1894 the above cause having been reached upon the regular call of the Docket. the cause was taken by the Court without argument or brief.

No 138 Robert Maynes
vs
United States
} From District Court
Kingfisher County

And now to-wit on this 25th day of June A.D. 1894 Comes Hon C.R. Brooks U.S. Attorney for the Territory of Oklahoma and asks leave of the Court to file a motion to dismiss in the above entitled cause.
Consent of the Court is given and motion is so filed.

No 136 Territory of Oklahoma
vs
John Spray — appt —

And now to-wit on this 25th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted

No 34 Noah Rich
vs
United States
} From District Court
Oklahoma County

And now to-wit on this 25th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted at this time

In Re:
Admitting Attorneys to practice
in the Supreme Court.

And now to-wit on this 25th day of June 1894

Comes C A Galbraith Esqr and moves the admission of C H Eagin of the Oklahoma bar The Court being satisfied as to the fitness and qualification of Mr Eagin he was upon taking the prescribed oath duly admitted to practice law in the Superior and Inferior Courts of Oklahoma Territory

And now comes J H Woods Esqr and moves the admission of W S Pendleton of the Kingfisher bar.
The Court being satisfied as to the qualifications of Mr Pendleton he was upon taking the prescribed oath declared duly admitted to practice in the Superior and Inferior Courts of Oklahoma

The Territory of Oklahoma Ex Rel
No 161 W W Whittinghill City Atty of the City of Enid
vs
The Chicago Rock Island and Pacific R R Co.

And now to-wit on this 25th day of June 1894 the above cause having been reached for argument upon a motion to quash the same was at this time argued and submitted

The City of Oklahoma
No 145 vs
The J M Richardson and Co. Lumber Company Co.

And now to-wit on this 25th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time by agreement of Counsel submitted to the Court upon briefs.

Squire Brown } From District Court
No 153 vs } Logan County
Territory of Oklahoma }

And now to-wit on this 25th day of June AD 1894 the above cause having been reached upon the regular call of the Docket It was held by the Court that the same be remanded back to the District Court there to be filed by the Clerk of said Court and then to be argued and submitted in the Supreme Court

John Milliken } From District Court
No [illegible] vs } of Oklahoma County
Territory of Oklahoma }

And now to-wit on this 25th day of June 1894 the above cause having been reached upon the regular call of the Docket comes Amos Green Esqr Counsel for Appellant and moves the Court that the Expenses and Costs in the above action be taxed to Oklahoma County.
The Court after Consideration orders and adjudges

that the costs in above cause be and are hereby taxed and charged to the County of Oklahoma.

The above cause at this time is argued and submitted.

No 146 County Commissioners of Cleveland County
vs.
N H Maxwell et al.

And now to-wit on this 25th day of June 1894 the above cause having been reached upon the regular call of the Docket, Came Geo Gardner Esqr. of Counsel for appellants and asks of the Court a reasonable time in which to procure and file certain affidavits in above cause. The Court after consideration gives appellants ten days time from this date in which to file the said affidavits.

No 170 Geo. W. Bluma
vs
A T and S F R R Co

And now to-wit on this 25th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted. C Wang J H Woods and J W Johnson appearing for appellant and Asp Shartell and Cottingham appearing for appellees.

No 184 May Bird
vs
J W Carson

And now to-wit, on this the 25th day of June 1894 the above cause having come on for hearing upon the regular call of the Docket, the same was passed by the Court for the term.

No 142 Sam C Renfrow
vs
United States
} From Pottawatomie County

And now to-wit on this 25th of June 1894 Comes B B Blakeney of counsel for the appellant in above cause and asks leave of the Court to file briefs in above cause. The Court after consideration directs that briefs be filed on or before July 1st 1894.

No Tener et al
vs
Weiss et al

And now the above cause having come up upon the motion to dismiss. The Court after consideration sustains the motion and remands the cause back to the lower Court for full determination, without giving the same consideration here.

No 153 Squire Dennon
vs
Territory of Oklahoma

And now to-wit on this 25th day of June 1897 the above cause having been reached upon the regular call of the Docket - the same was at this time argued and submitted - Allen and C. J. Foster appearing for appellant.) A H Huston and W R Thurston appearing for Territory.

And thereupon by order of the Court Public Proclamation having been made by the Court Crier - the Court was adjourned until June 29th inst. at 10 a.m

Attest
Edgar W. Jones -
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the 27th day of June in the Year of Our Lord One thousand eight hundred and ninety four, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. the above date being one of the Judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice Hons Jno. H. Burford Henry W. Scott A.G.C. Bierer and Jno. L. McAtee Associate Justices Hon. C.R. Brooks U.S. Attorney Hon. E.D. Nix U.S. Marshal U.S. Marshal Edgar W. Jones Clerk and W.A. Taylor Court Crier.

By order of the Court Public Proclamation having been made of the opening of Court the following proceedings were had and done.

No 117
[illegible] B. Pierce
vs
United States of America
} Appeal from District Court of Logan County

And now to-wit on this the 27th day of June A.D. 1894 the above cause having come on for final argument, the same was at this time argued and submitted. Henry E. Green and Harper S. Cunningham appearing for the appellant. and Hon. Horace Speed and C.R. Brooks appearing for the appellee.

No 130
Frank and Brown
vs
Territory of Oklahoma
} Appeal from District Court of Oklahoma County

And now to-wit on this 27th day of June 1894 the above cause having come on for argument the same was at this time argued and submitted. C.R. Redick appearing for the Appellants and J.H. Woods and J.C. Strang appearing for Appellee.

And now comes Hon. C.A. Galbraith who moves the Court that R.J. Edwards of the Perry bar and A.G. Wood of Enid be admitted to practice in the Supreme Court of Oklahoma Ty. the Court after satisfying itself as to the qualification of the applicants orders that they be duly admitted to practice in the Superior and Inferior Courts of this Territory.

And thereupon by order of the Court Public Proclamation ~~of the opening of Court~~ having been made. the ~~same~~ Court was adjourned until 10 o'clock on June 28th 1894.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be It Remembered, that on this the twenty eighth day of June in the year of our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice Hons. Jno H. Burford Henry W. Scott A. G. C. Bierer and Jno L. McAtee Associate Justices.

By order of the Court Public Proclamation of the opening of Court having been made by the Court crier the following business was had and done.

The Territory of Oklahoma
No 161 Ex Rel M. W. Whittinghill City atty of Enid.
vs
Chicago Rock Island and Pacific R R Co.

And now to wit on this 28th of June the above cause having come on for determination upon a motion to quash - it was ordered by the Court that the motion be sustained and judgment is so entered at cost of Plaintiff - Associate Justices Scott and Bierer dissenting.

And now comes M. W. Whittinghill of Counsel for Plaintiff and asks that the Court grant leave for appellants to amend their petition by substituting a new party as Plaintiff in above Cause - Motion is filed and considered by the Court.

W. H. Irwin } Appeal from District Court
No 1[illegible] vs } Logan County
Mollie Ellis }

And now on this 28th day of June 1894 the above cause having been reached for argument - the same was at this time argued and submitted - Keaton and Cotteral appearing for Appellant and H R Thurston for Appellee

Jas. S. Sharp } Appeal from District Court
No 135 vs } Logan County
Doch Morris }

And now on this 28th day of June 1894 the above cause having come on for argument - the same was at this time argued and submitted - Keaton and Cotteral appearing for Appellant and H R Thurston appearing for Appellee -

No 161. Moses Keokuk
vs
County Treasurer of Lincoln County } Appeal from District Court of Lincoln County

And now on this 28th day of June 1894 the above cause having come on for reconsideration the same was taken by the Court upon the briefs and record and without oral argument - All parties to the case consenting.

No 174 John Day
vs
Territory of Oklahoma } Appeal from the District Court of Logan County.

And now on this 28th day of June 1894 the above cause having been reached for argument upon the regular call of the Docket - time was given appellant in which to complete record and the cause was taken upon briefs without oral argument - All parties to the cause consenting.

E M Carnahan
vs
A Guthrie and A Guthrie & Co. } Appeal from District Court of "O" County

And now on this 28th day of June 1894 the above cause having been reached upon call of the Docket, the Court upon motion granted appellees 10 days time in which to file briefs - Cause to be then submitted and determined without argument - all parties to the same consenting.

No 183 - James Brown
vs
Abraham Parker } Appeal from District Court of Lincoln County

And now on this 28th day of June 1894 the above cause having been reached upon the regular call of the Docket - the same was taken by the Court upon the record and briefs - All parties consenting -

And thereupon by order of the Court public proclamation having been made by the Crier the Court was adjourned until 9 o'clock am June 29th 1894.

Attest
Edgar W. Jones
Clerk -

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty ninth day of June in the year of our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the Judicial days of the June term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H Burford Henry W. Scott Mc Bierer and Jno. L. McAtee Associate Justices - Hon C.R. Brooks U.S. Atty - Hon E D Nix U.S. Marshal Edgar W. Jones Clerk and W.A. Taylor Court Crier

By order of the Court Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.

Truex Et al
vs
Farrell
} Appeal from District Court Pottawatomie County

And now on this 29th day of June A.D. 1894 the above cause having came on for hearing upon a Motion for Review the Attorneys for Plaintiff in Error ask permission to orally argue the question which request is by the Court refused.

And now comes C.H. Carswell of the El Reno bar and moves the Court that A.C. Burwell Esqr of the Kingfisher bar be admitted to practice in the Supreme Court of Oklahoma -

The Court being satisfied as to the efficiency of the applicant he was duly declared upon taking the prescribed oath admitted to practice in the Inferior and Superior Courts of this Territory

No 173
Guthrie National Bank
vs
A.S. McIlhinny et al
} Upon Application for Writ of Mandamus -

And now to-wit on this 29th day of June 1894 the above cause having come up for Consideration upon a Motion to quash the Alternative writ of Mandamus The Court announces that the Motion is overruled - and it is so ordered and adjudged.

And now comes the Attorneys for defendant in above cause and ask leave of the Court to answer and make proper return - Leave is so given

No 78
Parrick
vs
Galsnick - The above cause having been called up upon

a Motion to Reinstate Cause — the Court announces and adjudges the the Motion be overruled.

Johnson Sheriff } Upon Application for Writ of
vs } Mandamus
No 96
E F Cameron Auditor }

And now to wit on this 29th day of June 1894 the above cause having been reached for final decision and determination and the Court being fully advised in all the premises — it was held and adjudged that the defendant comply with the matters and things set forth in Plffs petition at cost of Defendant — the decision in above cause was rendered by associate Justice Scott and can be found on page Book of Opinions and a part of this record —

City of Enid ex Rel
W M Whittinghill City Atty
No 161 vs
Chicago Rock Island and Pacific RR

And now to wit on this 29th day of June 1894 comes the appellant in above cause and asks leave of the Court to amend the above cause by substituting the name of the Attorney General of Oklahoma as Relator in place of the City Attorney of Enid. and also with request that a new Alternative writ issue. All costs of said action to be charged and taxed to Relator in this cause.

The Court after consideration and being fully advised in the premises grants Relators application to amend and permits new Alternative writ to issue.

J W Polson Interpleader } From District Court
No 165 vs } of Payne County
C S Purcell and W M Jackson }

And now on this 29th day of June 1894 the above cause having been called up on a Motion to dismiss and the Court being fully advised in the premises — it is held and adjudged that the said motion be sustained and cause is ordered and is hereby dismissed at costs of the Interpleader Polson

George W Healy } From Beaver County
No 37 vs }
O J Suggsborough Et Al }

And now on this 29th day of June 1894 the above cause coming same on to be heard upon the regular call of the Docket, the Same was taken upon the record and briefs — Attorneys for neither parties being present.

No 156 Moses Pitman vs The City of El Reno } From the District Court of Canadian County

And now to-wit on this 29th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted Forrest and Quinn appearing for appellant and Dille and Schnook appearing for Appellee

The Court at this time grants appellees fifteen days time in which to file written briefs and also the appellants are given ten days additional time in which to file reply briefs if so desired.

No 158 Dymant and Sane and Ridge Whitlock vs Houghton and Upp Mercantile Co } Appeal from District Court of Canadian County

And now on this 29th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted C H Carswell Esqr appearing for the Appellant.

No 159 School District No 74 Kingfisher County vs W C Long Co Clerk Et Al } Appeal from District Court of Kingfisher County

And now to-wit on this 29th day of June AD 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted A J Burnitt appearing for Appellant and C J Roberts appearing for appellee

F M Harper vs United States of America and W R Magill Jailor } Upon Application for Writ of Habeas Corpus

And now to-wit on this 29th day of June 1894 the above cause having been reached upon the regular call of the Docket the appellant was by the Court required to file briefs by or before July 10th 1894 and the said cause at that time to be submitted to the Court without oral argument.

No City of Round Pond vs C R I and P R R } Upon Application for Writ of Mandamus

And now comes M M Mackey Attorney for Appellant in above cause and asks of the Court that an alternative writ in the above cause issue — the Court after consideration and being fully advised in the premises orders that the writ prayed for issue - and be made returnable on July 9th 1894.

Territory of Oklahoma Ex Rel
C A Galbraith Attorney General
vs
County Commissioners of Kingfisher County
} Upon Application for Writ of Mandamus

And now to-wit on this 29th day of June 1894 the above cause having been reached upon the regular call of the Docket - the Appellants Attorney asks of the Court that an Alternative Writ in the above cause issue - and be made returnable on July 9th 1894 - the Court after consideration, being fully advised in the premises grants request aforesaid - and said writ is accordingly issued

Banks and Brown
vs
Territory of Oklahoma
} Appeal from District Court of Oklahoma County

And now to-wit on this the 29th day of June A.D. 1894 the above cause having come on for final decision, it was held by the Court - all the Justices concurring - that the decision of the Court below in all things be affirmed at cost of Plaintiffs in Error, the decision may be found on page book of opinions and a part of this record.

John Dossett
vs
United States of America
} Upon application for Writ of Habeas Corpus

And now to-wit on this 29th day of June 1894 the Attorney for Plaintiff in above cause asks leave of the Court at this time to amend the Application for writ of Habeas Corpus in above cause -
The Court after consideration directs the said Attorney to serve notice on the Attorney for the United States and to present the matter on June 30th 1894.

Henry Redmand
vs
Territory of Oklahoma
} From the District Court of Lincoln County

And now to-wit on this 29th day of June 1894 the above cause having been called up on a motion to dismiss the said motion was at this time by the Court overruled - and Appellants were given five days in which to file written briefs.
And thereupon by order of the Court
Public Proclamation having been made by the Court Crier the Court was adjourned until nine o'clock

On June 3.th 1891

[illegible]
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the 30th day of June in the year of our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the judicial days of the June term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H. Burford A G C Bierer and Jno L McAtee and Henry W Scott Associate Justices Hon. C R Brooks US Attorney Hon E D Nix US Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Public Proclamation of the opening of Court having been made the following business was had and done.

And now comes C R Buckner Esqr who moves the Court that Frank Ex line Esqr of the Newkirk O.T. bar be admitted to practice in this Court.

The applicant upon proving his efficiency to the satisfaction of the Court was duly admitted to practice in the Superior and Inferior Courts of Oklahoma - upon his taking the oath as prescribed.

No. 171
Jms J Peckham
vs
John H. Knight
} From District Court of K County

And now to-wit on this 30th day of June 1894 the above cause having been called up upon a motion to dismiss - The said motion was by the Attorneys for Defendant in Error withdrawn and the said cause was at this time taken upon the record and briefs.

No 172
Coyle and Smith
vs
Jos Baum
} From District Court of Logan County

And now to-wit on this 30th day of June 1894 the above cause having been reached upon the call of the Docket the same was at this time argued and submitted. Jno H Shartell appearing for Appellant and J R Keaton appearing for Appellee

No
Louis Le Roy
vs
Territory of Oklahoma
} From District Court of Logan County

And now on this 30th day of June 1894 the above cause having been reached upon the regular call of the Docket the same was at this time submitted upon the record and briefs - All parties to the case consenting.

No 45

Elmer H. Littlefield
vs
Bruce Todd
} Appeal from the District Court of K County

And now to-wit on this 30th day of June 1894 the above cause having been reached upon the regular call of the Docket - the same was at this time taken upon the record and briefs - Appellee is also given a reasonable length of time in which to file briefs

No 46

Wolff and Son
v
Jeffrey and Co
} Appeal from District Court of Logan County

And now to-wit on this 30th day of June A D 1894 James C. J. Horner Esqr of Counsel for Appellees and asks the Court that a reasonable time be given the Counsel for oral argument in above cause, the Court after consideration and being fully advised in the premises allows each side thirty minutes for oral argument - said argument to be made on July 10th 1894.

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until 10 o'clock am July 10th 1894.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the tenth day of July in the year of our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the Judicial days of the June 1894 term of said Court

There were present Hon Frank [illegible] Chief Justice Hon John H Burford Henry W Scott A G C Bierer and Jno. L. McAtee Associate Justices Hon C R Brooks US Attorney Hon E D Nix US Marshal Edgar W Jones Clerk W A Naylor Court Crier.

By order of the Court Public Proclamation of the opening of Court having been made, the following business was had and done.

No 161

Territory of Oklahoma
Ex Rel C A Galbraith Attorney General
vs
Chicago Rock Island and Pacific R R Co
} Upon application for Alternative Writ of Mandamus.

And now to wit on this 10th day of July 1894 the above cause having come on for hearing upon the regular call of the Docket, Comes now W W Wampler of Counsel for Appellant and files with the Clerk a motion to have judgment in above cause given on the pleadings,
The Court takes the matter under advisement. ~~and after consideration~~

No 155

US
vs
A A Ewing

And now on this 10th day of July 1894 the above cause having been reached upon the regular call of the Docket Comes now C J Roberts of Counsel for Defendant and asks leave of the Court to file with the Clerk an answer in said Cause.
The Court after Consideration grants the request and the answer is so filed

No 134

National Bank of Guthrie
vs
W E Earl
} Appeal from District Court of Logan County

And now to-wit on this 10th day of July 1894 the above cause having come on for hearing upon the regular call of the Docket the same was at this time taken by the Court upon the record and briefs All parties to the cause consenting

No 131 Wm J. Bradford
vs
Territory of Oklahoma } Appeal from District Court of Oklahoma County

And now upon this 10th of July 1894 the above cause having been reached upon the regular call of the Docket the same was at this time submitted on briefs. All parties to the cause consenting

In Re
Admitting Attorneys to
practice in Supreme Court

And now to-wit on this 10th day of July 1894 Comes Col. J. S. Jones who moves the Court that W.H. French of the Chandler bar be admitted to practice in the Supreme Court of Oklahoma—

And at the same time and place comes Ammacker Esqr who moves the Court that Thos Norton of the Round Pond bar be admitted—

And at the same time comes H.R. Thurston who moves the admission of Rhon of the Chandler bar.

The Court on being satisfied as to the qualifications of the different applicants— orders after the prescribed oath had been administered— that they be admitted to practice in the inferior and superior Courts of this Territory.

No 211 Territory of Oklahoma Ex Rel
C.A. Galbraith Atty General
vs
County Commissioners of Kingfisher County } Upon application for Writ of Mandamus—

And now to-wit on this 10th day of July A.D. 1894 Comes J.G. Cutlip of Counsel for Appellant and moves the Court that the answer of Defendants above be struck from the files of this Court.

The Court after consideration now overrules said motion

At the same time and place Counsel for Petitioner move the Court that a Commissioner be by the Court appointed to take testimony in the above entitled cause. The Court after consideration and being fully advised in the premises overrules said motion

No 46 Wolf and Levy Appellees
vs
Jaffray and Co Appellants } Appeal from District Court of Logan County

And now to-wit on this 10th day of July A.D. 1894 the above cause having come on for argument upon a Motion for a Rehearing— the same was at this time argued and submitted Wisby and Horner and Keaton and Cotteral appearing for Petitioners and Harper & Cunningham appearing for Appellees—

Chief Justice Dale and Associate Justice Burwell not sitting having been of Counsel in above cause

In Re:

Naturalization of Archibald Cummings

And now to-wit on this 10th day of July A.D. 1894 Comes Archibald J. Cummings a Native of Canada, and a subject of Victoria Queen of Great Britain and Ireland — and ask the Court that he be made a Naturalized Citizen of the United States.

The Court after satisfactory proof of Applicants eligibility administers the necessary oath and directs the Clerk to issue Certificate of full Naturalization to Applicant.

And thereupon nothing further presenting itself to the Court for Consideration Public Proclamation having been made by the Crier by order of the Court the Court was adjourned until 10 o'clock a.m. July 11th 1894.

Attest
Edgar H. Jones —
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this Eleventh day of July A.D. 1894 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the judicial days of the June 1894 term of said Court.

There were present Hon. Frank Dale Chief Justice Hons John H Burford Henry W Scott A G C Bierer and Jno. L. McAtee Associate Justices Hon C R Brooks U.S. Attorney Edgar W Jones Clerk Hon E D Nix U.S. Marshal and W. Taylor Court Crier

Public Proclamation of the opening of Court having been made by the Crier by order of the Court the following business was had and done.

No 161 The Territory of Oklahoma
Ex Rel C A Galbraith Atty General
vs
The Chicago Rock Island and Pacific R R Co

Upon application for Writ of Mandamus.

And now to wit on this 11th day of July A.D. 1894 the above cause having come on for argument upon the objection of the above Respondent going to trial at this time the Court after consideration and being fully advised in the premises holds that the above Cause is not properly at issue at this time

And at the same time and place comes J R Dille Atty for Respondent above and moves the Court that a jury be summoned to try the above cause The Court takes said motion under Consideration at this time.

No 177 The Territory of Oklahoma Ex Rel
C A Galbraith Atty General
vs
The Chicago Rock Island and Pacific R R Co

And now to wit on this 11th day of July 1894 Comes J R Dille of Counsel for Respondents and asks leave of the Court to file answer to Return Writ in above cause. Leave is by the Court granted and answer is accordingly filed with the Clerk

No 46 E S Jeffrey and Co
vs
J H Wolfe and Son

Upon Application for Remand

And now to wit on this 11th day of July 1894 the above cause having come on for determination upon motion for Remand and Rehearing the said motion was at this time by the Court overruled.
Chief Justice Dale and Associate Justice Bierer not sitting.

No 200 — The Territory of Oklahoma Ex Rel. C.A. Galbraith Attorney General vs County Commissioners of Kingfisher County — Upon Application for Writ of Mandamus

And now to-wit on this 11th day of July A.D. 1894 comes J.H. Roberts of Counsel for above ~~[illegible]~~ and files motion with the Clerk to have judgment in above cause given the pleadings in said above cause.

And thereupon by order of the Court Public Proclamation having been made by the Crier the Court adjourned until 9 a.m. July 12th 1894

Attest,
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twelfth day of July in the year of Our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the judicial days of the June 1894 term of said Court.

There were present Hon Frank Dale Chief Justice Hons Jno. H Burford Henry W. Scott A.G.C. Bierer and Jno. L McAtee Associate Justices Hon C.R. Brooks U.S. Atty Hon. E.D. Nix U.S. Marshal Edgar W. Jones Clerk and W.K. Taylor Court Crier

By Order of the Court Public Proclamation of the opening of Court having been made by the Crier the following proceedings were had and done.

No 161. Territory of Oklahoma ex rel C.A. Galbraith Atty General vs The Chicago Rock Island and Pacific R.R. } Upon application for Alternative Writ of Mandamus

And now to wit on this 12th day of July A.D. 1894 the above cause having come on for hearing upon a motion to grant Jury trial the said motion was at this time overruled by the Court. The Courts opinion on the said motion can be found on page book of Opinions and a part of this record.

No 11 Jaffrey and Co vs Wolf and Son } From the District Court of Logan County

And now to wit on this 12th day of July A.D. 1894 the above cause having come on for determination upon a motion to modify the supersedeas in said above cause.

The Court after consideration and being fully advised in the premises sustains said motion, and orders and adjudges that the ~~said order~~ granting of said application be made. To which ruling of the Court counsel for Plaintiffs in Error duly except. — Order of Court in files. —

No 204 Brance vs. Oliver } Appeal from District Court of Logan County

And now to wit on this 12th day of July A.D. 1894 the above cause having come on to be heard upon an application to the Court to grant supersedeas. The Court after consideration and being fully advised in the premises grants the said application on condition that the above Plaintiff in Error files in the District Court of Logan County a bond in the sum of   dollars. said bond to be approved by the Clerk of said Court.

No 146. County Commissioners of Cleveland Co. vs W H Grawell Et al } Appeal from the District Court of Cleveland County

And now to wit on this 12th day of July AD 1894 the above cause having come on for determination upon a motion to dismiss said cause. The Court after consideration and being fully advised in the premises holds and adjudges that the said motion be here overruled.

The Defendants in error are at this time given by the Court a reasonable time in which to file briefs in above cause.

No 200. Territory of Oklahoma Ex Rel C A Galbraith Atty General vs The County Commissioners of Kingfisher County — Upon Application for Alternative Writ of Mandamus

And now to wit on this 12th day of July AD 1894 the above cause having come on for argument upon a motion of Respondents for judgment on the pleadings.

The said motion was at this time argued and the cause submitted. J G Cutlip and W A McCartney appearing for Petitioners and J C Roberts appearing for Respondents.

No 186. C W Truex Et al vs J T Farrell Et al } Appeal from District Court of Pottawatomie County

And now to wit on this 12th of July 1894 the above cause having come on for determination upon a motion for Reinstatement of cause. The Court after consideration sustains the said motion and orders and adjudges that the above entitled cause be and is hereby reinstated.

No 109. Richardson vs Shelby — Appeal from the District Court of Canadian County

And now to wit on this 12th day of July A D. 1894 the above cause having come on for hearing upon a motion to reinstate the Court after consideration sustains the motion and orders and adjudges that said cause be reinstated.

No 123 Guthrie National Bank
vs
N. S. McKinney et al

Upon application for writ of Mandamus

And now to wit on this 12th of July A.D. 1894 the above cause having been reached upon the regular call of the Docket comes now Counsel for Respondents and moves the Court that judgment be given said Respondents on the pleadings in said cause.

The cause is at this time submitted to the Court on briefs. All parties to the cause consenting. Respondents alone are allowed 10 days in which to file additional briefs.

No 161. The Territory of Oklahoma
ex Rel C A Galbraith Atty General
vs
The Chicago Rock Island and Pacific
Rail Road Company

Upon application for writ of Mandamus

And now to wit on this 12th of July 1894 comes M. M. Whittinghill of Counsel for Petitioners in above cause and moves the Court that the above Cause be at this time dismissed.

The Court after consideration sustains the motion and orders and adjudges that said cause be dismissed at cost of Relator.

No 197 The Territory of Oklahoma
ex Rel C A Galbraith Atty General
vs
Chicago Rock Island and Pacific
Rail Road Company

Upon Application for Alternative Writ of Mandamus.

And now to wit on this 12th day of July 1894 the above cause having come on for argument upon motion for judgment upon the pleadings in said cause. the same was at this time argued and submitted.

No 46 Jeffrey and Co
vs
Wolf and Son

Appeal from Dist Court of Logan County

And now to wit on this 12th day of July A D 1894 comes J R Wooten of Counsel for appellants in above cause and asks leave to file a motion to vacate the order made in above cause on this date to wit: July 12th 1894 by this Court. The motion is filed with the Clerk by direction of the Court.

In Re:

Admission of A J Jones to
practice law in Supreme Court of Oklahoma

Be It Remembered that on this the 12th of July AD 1894 comes J. Roberts Esq and moves the Court that A.J. Jones of the Enid O.T. bar be admitted to practice in the Supreme Court of Oklahoma. Upon the applicants proving himself efficient and qualified the prescribed oath was administered by Associate Justice Bierer and applicant was declared admitted to practice in the Superior and the Inferior courts of Oklahoma

In Re:

Approving of the accounts
of R L Collins Clerk U S
District Court of the
fifth judicial District O.T.

And now to wit on this 12th day of July comes Hon C R Brooks U S Atty who presents in open Court the accts of R L Collins Clerk of the U.S. Court for the fifth Judicial District Oklahoma in the sum of four hundred fifty and 75/100 dollars, due from the day of 1894 to the of 1894 and the same are by the Court at this time approved.

And thereupon nothing further appearing for the Courts consideration Public Proclamation was made by the Crier by order of the Court and the Court was adjourned until 9 o'clock a m July 13th 1894.

Attest
Edgar W. Jones
Clerk Supreme Court

United States of America
Territory of Oklahoma

Be it Remembered that on this the thirteenth day of July in the year of our Lord One thousand Eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the judicial days of the June term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H Burford Henry W Scott A G C Bierer and Jno. L McAtee Associate Justices Hon. C R Brooks US atty Hon E D Nix U S Marshal Edgar W Jones Clerk and W W Taylor Court Crier.

By order of the Court Public Proclamation of the Opening of Court having been made by the Crier the following proceedings were had and done.

No. Henry Redmond
vs
Territory of Oklahoma
} Appeal from District Court Of Lincoln County

And now to wit on this 13th day of July 1894 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted. Geo Gardner representing the Appellee and H R Thurston appearing for the Appellant.

In Re:
Admission to Supreme Court
Bar of C M Gyger

And now to wit on this 13th of July 1894 the above named applicant was admitted at this time to practice in the Supreme and in the Superior Courts of Oklahoma upon proving to the satisfaction of the Court his efficiency and upon taking the oath as prescribed by law.

✓

In Re:
Changing the boundaries
of the Judicial District of
Oklahoma - Assignment
of the Judges and the dates
for holding Courts

United States of America
Territory of Oklahoma
And now to-wit on this

thirteenth day of July AD 1894 at a Regular session of the June term of the Supreme Court of the Territory of Oklahoma held in the City of Guthrie, there were present Hon. Frank Dale Chief Justice. Hon John H. Burford Henry W. Scott A. G. Curtin Bierer and Jno. L. McAtee Associate Justices, Hon C. R. Brooks U.S. Attorney, Hon E. D. Nix U.S. Marshal Edgar W. Jones Clerk and W. T. Taylor Court crier.

Public proclamation of the opening of court having been made by the crier the following among other business was had and done.

In Re:

Re districting the Territory
and assignment of Judges

It is by the Court ordered that the Counties of Logan Lincoln and Payne constitute the First Judicial District and Chief Justice Frank Dale is hereby assigned to said District.

That the Counties of Oklahoma, Cleveland and Pottawatomie constitute the third Judicial District and associate Justice Henry W. Scott is hereby assigned to said District.

That the the Counties of Canadian Blaine "D" "G" Washita Day and Roger Mills constitute the Second Judicial District and Hon John H Burford Associate Justice is hereby assigned to said District.

That the Counties of "P" "K" "Q" and Beaver constitute the Fourth Judicial District, and associate Justice A. G. Curtin Bierer is hereby assigned to the said district.

That the Counties of Kingfisher "O" "L" "M" and "N" constitute the Fifth Judicial District and associate Justice Jno. L. McAtee is hereby assigned to said district.

It is further ordered that the terms of court in the First Judicial District shall be held as follows—

Logan County: Second Monday in September and third Monday in February of each Year.
Lincoln County: First Wednesday in November and third Tuesday in April of each Year.
Payne County: Fourth Tuesday in November and Second Tuesday in May of each Year.

Second Judicial District

Blaine County: Second Monday in September
"D" County: third Monday in September
Day County: First Monday in October

Roger Mills County: Second Monday in October.
"G" County: Fourth Monday in October.
Washita County: First Monday in November.
Canadian County: Third Monday in November.

Third Judicial District

Pottawattamie County: Second Tuesday in September and First Tuesday in May of each year.
Oklahoma County: First Tuesday in October and Third Tuesday in February of each year
Cleveland County: Third Tuesday in November and First Tuesday in April of each year.

Fourth Judicial District

"K" County: Second Monday in September and Third Monday in February of each year.
Beaver County: Second Wednesday in October and Second Wednesday in March of each year.
"Q" County: Last Tuesday in October and First Tuesday in April of each year.
"P" County: Third Monday in November and fourth Monday in April of each year.

Fifth Judicial District

"O" County: Second Monday in September and Second Monday in March of each year.
Kingfisher County: Second Tuesday in October and First Monday in February of each year.
"L" County: Second Monday in November and First Monday in April of each year.
"M" County: Fourth Tuesday in November and First Wednesday in May of Each Year.
"N" County: First Tuesday in December and Second Wednesday in May of each Year.

It is further Ordered; That all orders heretofore made in conflict with above are herewith vacated and set aside.

It is further Ordered: That all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the term provided for by this order, and all orders writs and summons of every Character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the several terms as provided in this order, and all persons under bond of recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of Court as fixed in this order in the County in which each was required to appear by such bond or recognizance.

It is further ordered that the Clerk of the Court send a certified copy of this order to the Clerks of the Courts of each County affected by this order.

In Re:
Setting day for Special
term of District in
Cleveland County

And now to-wit on this 13th day of July A.D. 1894 it is ordered by the Court that a Special term of the District Court be held in the third Judicial District at Norman in Cleveland County on the second Monday of September A.D. 1894 and that a copy of this order be sent to the Clerk of said Court.

And thereupon by order of the Court Public Proclamation having been made by the Crier the Court was adjourned until July 25th 1894 at 10 A.M.

Attest
Edgar W. Jones,
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this twenty fifth day of July in the year of Our Lord One thousand eight hundred and ninety four the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the judicial days of the regular June 1894 term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H. Burford Henry W. Scott A G C Bierer and Jno L McAtee Associate Justices Hon Caleb R. Brooks US Attorney Hon E D Nix US Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier

By order of the Court Public Proclamation having been made by the Crier of the opening of Court the following business was had and done.

In Re:
Changing dates for
holding terms of
Court in the
Second Judicial District.

It is by the Court ordered that a regular term of the District Court be held in "G" County on the Fourth Monday in October 1894

It is further ordered; that a term of the District Court be held in Washita County on the First Monday in November 1894.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the term provided for by this order, and all orders writs and summonses of every character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the several terms as provided in this order, and all persons under bond of recognizance to appear at any term of Court as heretofore fixed shall be required to appear on the first day of the term of Court as fixed in this order in the County in which each was required to appear by such bond or recognizance.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that Certified copies of this order be by the Clerk of this Court sent to the various Clerks of the Courts in the Counties affected by this order.

{Chandler Court were cancelled

And thereupon by order of the Court Public Proclamation having been publicly made by the Crier the Court was adjourned until Friday September 7th A.D. 1894.

M.O.:
Holding special term of District Court
at Chandler Lincoln County on
Sept. 3rd 94.

And now to wit on this 25th of July 1894. it is Ordered by the Court that a special term of the District Court be held at Chandler in Lincoln County on Monday September 3rd A.D. 1894

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this seventh day of September in the Year of Our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the juridical days of the Regular June 1894 term of said Court.
There were present Hon Frank Dale Chief Justice Hons John H. Burford Henry W. Scott A G C Bierer and Jno. L McAtee Associate Justices Hon C R Brooks U S Attorney Hon E D Nix U S Marshal Edgar W. Jones Clerk and W A Taylor Court Crier.

By order of the Court Public Proclamation of the Opening of Court having been made by the Crier the following business was had and done.

In Re:
Changing dates for
holding terms of
Court in the
Second Judicial
District.

And now to-wit on this 7th day of September 1895 it is by the Court ordered that the terms of Court in the Second Judicial District shall be held as follows:

At Watonga, in Blaine County on the second Monday in September.
At Taloga, in "D" County on the third Thursday in September.
At Grand in Day County on the fourth Tuesday in September
At Cheyenne in Roger Mills County on the first Monday in October
At Arapahoe in "G" County on the second Tuesday in October
At Cloud Chief in Washita County on the third Thursday in October
At El Reno in Canadian County on the second Monday in November

It is by the Court further ordered that the orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the term provided for by this order, and all orders writs and summons of every character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the several terms as provided in this order and all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of Court as fixed in this Order in the County in which each was required to appear by such bond or recognizance.

It is further Ordered that the Clerk of this Court be directed to send a certified copy of this Order to Clerks of the District Courts of the various Counties affected by this order.

John Milligan
vs
No 179 Territory of Oklahoma

Be it Remembered that on this 7th day of September AD 1894 the above Cause having come on for final determination and judgment. It is by the Court Ordered that the decision of the lower Court in all things be affirmed.

This decision was handed down by Dale Chief Justice and can be found on page book of Opinions.

Associate Justice Scott not sitting having presided in the Court below.

In Re:
J H Smith
Upon application for
Writ of Habeas Corpus

And now to wit on this 7th day of September 1894 the opinion in above cause was read by Hon Frank Dale Chief Justice and Petitioner released. All the Justices Concurring. Said opinion will be found on page Book of Opinions

In Re:
Geo H. Lacey.
Upon Application
for Writ of Habeas Corpus

And now to wit on this 7th day of September 1894 the above cause having come on for final judgment and determination the Writ of Habeas Corpus was granted. Dale Chief Justice rendering the opinion All the Justices Concurring Said Opinion can be found on page - Book of Opinions.

No. Noah Rich
vs
United States of America

} Upon application for a Rehearing

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for determination upon a motion for Rehearing. The said application was in part granted. Opinion was rendered by Dale Chief Justice All the Justices concurring. And may be found on page Book of Opinions.

No Jane J. Beckham
vs
James H. Vaught

} Appeal from District Court of "K" Co.

And now to wit on this 7th of September 1894 the above cause having come on for final determination and judgment. The decision of the lower Court was in all things affirmed. The opinion was delivered by Dale Chief Justice and may be found on page Book of Opinions. All the Justices concurring. Justice Bierer not sitting having presided in the Court below.

The Board of Education of the City of Perry
vs
J. F. Harlason Co. Treasurer

} Original proceedings in Mandamus

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for final determination and judgment. It was the judgment of the Court that the Prayer of Petitioner in all things be granted and that mandamus issue forthwith at costs of Defendant.

The Opinion was delivered by Chief Justice Dale All the Justices concurring. And can be found on page Book of Opinions

No 71 Clay Peters
vs
United States

} Upon Petition for Rehearing and Review

And now to wit on this 7th day of September A.D. 1894 the above cause having came on for final determination and judgment upon a petition for Review and Rehearing. It was held by the Court that the Petition in all things be denied.

This opinion was handed down by Chief Justice Frank Dale. All the Justices concurring. And can be found on page Book of Opinions.

No 7 [illegible] Lemory } Upon application
vs } for Review and Rehearing
United States }

And now to wit on this 7th day of September AD 1894 the above cause having come on for final judgment upon a petition for Rehearing and Review. The said petition was in all things denied Chief Justice Dale handing down the opinion All the Justices concurring. Opinion to be found on page Book of Opinions and a part of this record.

No 73 Leander Stanberry } Upon application
vs } for Review and Rehearing
United States

And now to wit on this, 7th day of September AD 1894 the above cause coming before on for final judgment and determination upon a petition for Rehearing and Review the said petition was at this time in all things denied. Chief Justice Dale handing down the opinion which was concurred in by all the judges. This can be found on page Book of Opinions and a part of this Record.

J.H. Woods County Atty } Appeal from the District
of Oklahoma County } Court of Oklahoma County
vs
The City of Oklahoma.

And now to wit on this 7th day of September AD 1894 the above cause having come on for final judgment and determination. It was held that the judgment of the lower Court in all things be affirmed at costs of Plaintiff in Error.

This Opinion was read by Dale Chief Justice and may be found on page book of Opinions—

All the justices concurring in above opinion.

No. James Brown vs Herman Parker } Appeal from the District Court of Lincoln County

And now on this 7th day of September AD. 1894 the above cause having come on for final judgment and determination. It was the opinion of the Court that the judgment of the lower Court in all things be affirmed. And that mandate should issue at costs of appellant. Opinion read by Burford Associate Justice. all concurring.
Bierer not sitting having presided in the trial below
Opinion recorded on page Book of Opinion

No. S. J. Butner vs The Western Union Telegraph Company } Appeal from the District Court of Logan County

And now to wit on this 7th day of September AD. 1894 the above cause having come on for final judgment and determination. It was held by the Court that the judgment of the lower Court in all things be affirmed, at cost of appellant.
Opinion by Burford Associate Justice,
all concurring.
Dale not sitting having presided in trial below.
Opinion recorded on page Book of Opinions

No. The City of Guthrie vs The New Vienna Bank } Appeal from District Court of Logan County.

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for final determination and judgment. The Court being fully advised in the premises, it was held that the judgment of the lower Court be in all things reversed at the costs of defendants in Error
Opinion by Burford Associate Justice.
All the Justices concurring
Opinion recorded on page Book of Opinion

No. School District No 74 of Kingfisher County vs W. C. Long County Clerk Et Al.

And now on this 7th day of September 1894 the above cause having come on for final judgment and

determination. and the Court being fully advised in the premises. It was held and adjudged that the judgment of the lower Court in all things be affirmed at cost of Appellant.
Opinion by Bierer Associate Justice
All the Justices concurring
Burford not sitting having presided trial below.
Opinion recorded on page Book of Opinions

Geo. W. Henley
No 137 vs } Appeal from restraining order of Burford Judge.
Loofbourough et al.

The above cause having at this time come on for final judgment and determination - to wit on this 7th day of September A.D. 1894. and the Court being in all things fully advised in the premises, it is held ordered and adjudged that the appeal in above entitled cause be dismissed at costs of appellant.
Opinion by Bierer Associate Justice.
All the Justices concurring
Burford not sitting having presided in cause below. Opinion on page Book of Opinions

Rene Galliff
" No. vs } Appeal from the District Court of Payne County
Territory of Oklahoma

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for final judgment and determination. and the Court being fully advised in the premises.
It was held ordered and adjudged that the judgment of the lower Court be and is hereby affirmed at the costs of Payne County.
Opinion by Bierer
All the Justices concurring.
Opinion recorded on page Book of Opinions.

James D. Hurst
No vs
Hamlin W. Sawyer

And now to wit on this 7th day of ~~Oct~~Septem

A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was therefore held ordered and adjudged that the judgment of the lower Court in all things be reversed at the cost of Defendant in Error.
Opinion by Bierer Justice.
All the Justices concurring.
Burford Associate Justice not sitting having presided in trial below.
Opinion recorded on page Book of Opinions.

Clyde Gardenshire and Jacob Gardenshire vs Nellie Gardenshire } Appeal from the District Court of Payne County
No 168

And now to-wit on this 7th day of September A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was held ordered and adjudged that the judgment of the lower Court in all things be affirmed at Costs of Plaintiffs in Error.
Opinion by Bierer J.
All the Justices concurring.
Dale C.J. not sitting having presided in trial below.
Opinion recorded on page Book of Opinions

Jack Mulhall vs Levi McVeigh } Appeal from the District Court of Logan County.
No 120

And now to-wit on this 7th day of September A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was held ordered and adjudged that the decision of the lower court in all things be reversed, at the Costs of above Defendant in Error.
Opinion by Bierer J.
All the Justices concurring.
Opinion recorded on page Book of Opinions

Peoples Bank vs Adeline L. Dalton } Appeal from District Court of Kingfisher County
No 146

And now to-wit on this 7th day of September 1894

the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was therefore held ordered and adjudged that the decision of the Court below in all things be affirmed at the cost of above Plaintiffs in Error.
Opinion by Bierer J.
All the Justices concurring
Burford J. not sitting having presided below.
Opinion by Order of Court Recorded on page Book of Opinions.

No 90 R M Collier
vs
Territory of Oklahoma } Appeal from the Probate Court of Pottawottamie County

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was held ordered and adjudged that the decision of the Court below in all things be reversed and that the costs in said action be paid by Pottawottamie County.
Opinion by Bierer J.
All the Justices Concurring
Opinion by order of Court Recorded on page Book of Opinions.

No 180 Finke and Brown
vs
Territory of Oklahoma } Appeal from the District Court of Oklahoma County

And now to wit on this 7th day of September 1894 the above cause having come on for final judgment and determination and the Court having been fully advised in the premises.
It was held ordered and adjudged that the decision of the lower Court in all things be sustained at cost of above Plaintiffs in error
Opinion by Bierer J.
All the Justices concurring.
Scott J. not sitting having presided in trial below.
Opinion by order of Court Recorded on page Book of Opinions

No 187 Albert E. Wright
vs
Canadian County Bank
} Appeal from Probate Court of Canadian County

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was considered ordered and adjudged that the decision of the lower Court in all things be affirmed at the costs of above appellant.
(Opinion by McAtee)
All the Justices concurring
Opinion recorded by order of the court on page Book of Opinions

No. [illegible] Bennett et al
vs
Bennett and Solomon
} Appeal from the Probate Court of Kingfisher County

And now to wit on this 7th day of September 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was therefore held ordered and adjudged that the judgment of the lower Court be and is hereby in all things reversed at costs of Defendants in Error.
Opinion by McAtee
All the Justices concurring.
Opinion recorded on page Book of Opinions.

No 169. Moses [illegible]
vs
County Treasurer of Lincoln County et al
} Appeal from the District Court of Lincoln County

And now to wit on this 7th day of September A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was held ordered and adjudged that the judgment of the lower Court in all things be affirmed with costs to the above Plaintiff in Error.
Opinion by McAtee J.
All the Justices concurring.
Burford J. not sitting having presided in the Court below.
Opinion recorded on page / Book of Opinions

No 153 Squire [illegible]
vs
Territory of Oklahoma
} Appeal from the District Court of [illegible] County

And now to wit on this 7th day

of September A.D. 1891 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was therefore held ordered and adjudged that the decision of the lower Court be and is hereby affirmed at cost of Appellant
Opinion by McAtee J.
All the Justices concurring
Dale C.J. not sitting having presided in the trial below.
Opinion Recorded by order of the Court on page Book of Opinions.

Robinson and Gibson
No 110 vs
Bv. Cummins

And now to wit on this 7th day of September A.D. 1891 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It was therefore held ordered and adjudged that the decision of the lower Court be and is hereby reversed at cost of Defendant in Error.
Opinion by McAtee J.
All the Justices concurring
Opinion recorded by order of the Court on page Book of Opinions.

Henry Williams
No 91. vs
Territory of Oklahoma

And now to wit on this 7th day of September A.D. 1891 the above cause having come on for final judgment and determination It was held by the Court that the appeal in above cause be and is hereby dismissed at cost of Plaintiff in Error.
Opinion by McAtee J.
All the Justices concurring
Opinion recorded on page Book of Opinions

No 136. John Spray) Appeal from the District Court
vs } of Oklahoma County.
Territory of Oklahoma)

And now, on this 7th day of October 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises, it is therefore held ordered and adjudged that the judgment of the lower Court in all things be affirmed; at the cost of Oklahoma County.
McAtee J. delivering Opinion
All the Justices concurring.
Opinion by order of the Court recorded on page Book of Opinions

And thereupon by order of the Court Public Proclamation having been made by the Crier. The Court was adjourned until 10 O'clock am Saturday September 8th AD 1894.

Attest
Edgar W. Jones -
Clerk

United States of America
Territory of Oklahoma.

Be it Remembered that on this Eighth day of September AD 1894 the Supreme Court of the Territory of Oklahoma met pursuant to adjournment in the City of Guthrie, the above date being one of the judicial days of the regular June term of said Court.

There were present Hon. Frank Dale Chief Justice, Hons John H. Burford Henry W. Scott A. G. C. Bierer and Jno. L. McAtee associate justices; Hon. C. R. Brooks U.S. Attorney, Hon. E. D. Nix U.S. Marshal, Edgar W. Jones Clerk and W. A. Taylor Court Crier.

Public Proclamation of the Opening of Court having been made by the Crier by order of the Court, the following business was had and done.

No
First National Bank of Arkansas City
vs
Almus Jones et al.

And now to wit on this 8th day of September AD 1894 the above cause having come on for final determination and judgment and the Court being fully advised in the premises it is therefore held ordered and adjudged that the decision of the lower Court be and is in all things reversed at the cost of defendants in Error
Scott J. delivering Opinion
All the Justices Concurring
Opinion by order of Court recorded on page Book of Opinions

No
Territory of Oklahoma
vs
Geo W. Day
Appeal from the District Court of Logan County

And now to wit on this 8th day of September AD 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and is in all things reversed at the cost of Logan County
Scott J. delivering the opinion
Dale J. not sitting having presided at trial below.

All the Justices concurring
Opinion by Order of Court Recorded on page Book of Opinions

No

J. W. Johnson Sheriff
vs
Ellen D. Cameron Supt S.

Original Proceedings in Mandamus

And now to wit on this 8th day of September A.D. 1894 the above cause having come on for final decision and determination and the Court being fully advised in the premises.

It is therefore held ordered and adjudged that the petition in all things be allowed as prayed for and that the costs accrued in this action be taxed to Defendant

Scott J. delivering opinion
All the Justices concurring
Opinion recorded by Order of Court on page
Book of Opinions

No

In Re:
McClarkey

Upon Application for Writ of Habeas Corpus

And now to wit on this 8th day of September A.D. 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises

It was by the Court held ordered and adjudged that the petition be denied.

Scott J. delivering opinion
All the Justices concurring
Opinion recorded on page Book of Opinions

No

Em Carnahan
vs
Aguirre and Aguirre and Co.

And now to wit on this 8th day of September 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the decision of the lower Court in all things be affirmed at cost of Appellant

Scott J delivering Opinion
All the Justices Concurring
Opinion recorded on page Book of Opinions

No 115 Berry Brothers
vs
Hill-Fontaine and Co. } Appeal from District Court of Cleveland County

And now to wit on this 8th day of September AD 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises It was by the Court held that the decision of the lower Court in all things be affirmed at Cost of Appellants
Scott J delivering the Opinion
All the Justices Concurring
Dale not sitting having presided in trial below.
Opinion recorded on page Book of Opinions

No Berry Bros.
vs
Smith Sheriff } Upon a petition for Rehearing and Review

And now on this 8th of September 1894 the above cause having come on for decision upon petition for Rehearing and Review and the Court being fully advised in the premises
It is therefore held ordered and adjudged that the petition in all things be denied at Cost of Petitioners.
Opinion by Scott J
All the Justices Concurring
Dale not sitting having presided below.
Opinion recorded on page Book of Opinions.

No Prior P. Smith Et al
vs
Bank of Kingfisher } Upon Application for Rehearing

And now to wit on this 8th day of September 1894 the above cause having come on for decision and judgment upon a motion for Rehearing and Review and the Court being fully advised in the premises
It was held ordered and adjudged that the motion in all things be denied at costs of Petitioner

Scott J. delivering the opinion
All the Justices concurring
Opinion recorded on page Book of Opinions

No
Henry Redmond } Appeal from District Court
vs } of Lincoln County
Territory of Oklahoma }

And now to wit on this Eighth day of September AD 1894 the above cause having come on for final judgment and determination and the Court having been fully advised in the premises
It was held ordered and adjudged that the judgment of the lower Court in all things be affirmed at cost of Lincoln County—
Satisfactory showing having been made to the Court of appellants inability to meet the expenses incurred herein.
Opinion by Scott J.
All the Justices concurring
Bierer J. not sitting having presided in case below.
Opinion recorded on page Book of Opinions

No 176
B W Burchett } From Probate Court
vs } Kingfisher County
M S Purdy }

And now to wit on this 8th day of September AD 1894 the above cause having come on for final judgment and determination and the Court having been fully advised in the premises.
It was held ordered and adjudged that the judgment of the lower Court in all things be affirmed at Cost of Appellant
Opinion by Scott J
All the Justices concurring
Opinion recorded on page Book of Opinions

No
Moses Pitman } From District Court
vs } of Canadian County
The City of El Reno }

And now to wit on this 8th day of September 1894 the above cause having come on for final judgment and determination and the Court having been fully advised in the premises. It was therefore held ordered and adjudged that the decision of the lower Court be in all things reversed
Opinion by Scott J.

All the Justices concurring
Burford J not sitting having presided as judge below.

No Houghton and Upp Mercantile Company Deft in Error
vs
Ridge Whitlock Et al. Plffs in Error

And now to wit on this 8th day of September 1894 the above cause having come on for final judgment and determination and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court in all things be affirmed at cost of the Plaintiffs in Error &c.
Scott J. delivering Opinion
All the Justices concurring
Burford J. not sitting having presided as judge below.

In Re:
No 13r. John Dossett
Upon application for
Writ of Habeas Corpus

And now to wit on this 8th day of September AD 1894 the above cause having come on for determination upon an application for a Writ of Habeas Corpus and the Court being fully advised in the premises It is therefore held ordered and adjudged that the said petition be and is in all things denied
Opinion by Scott J.
All the Justices concurring
Opinion by Order of Court Recorded on page Book of Opinions

Evan L. Cameron Superintendent of Public Instruction and Ex Officio Auditor of Oklahoma Territory
No. vs
J. A. Parker.

And now to wit on this 8th day of September AD 1894 the above cause having come on for final judgment and decision upon an application of a peremptory writ of mandamus and the Court in all things being advised It is therefore held ordered and adjudged

that the prayer of the Petitioner in all things be granted and that a peremptory Writ issue at the cost of above Defendant.
Defendant at this time through his Attorneys Harper Cunningham and Sam F. Overstreet except to the ruling of the Court and file at this time a motion for a new trial which motion is by the Court overruled. and Exceptions allowed.
Defendant then serves notice of an appeal to the Hon Supreme Court of the United States and asks time in which to make a case for the said Supreme Court of the United States. days time is accordingly granted by this Court in which to prepare the record for the Supreme Court of the United States
Scott J delivering Opinion in above cause.
Bierer and McAtee Justices concurring.
Dale C.J. and Burford J. dissenting.
Opinion by Order of Court. recorded on page. Book of Opinions.

No City of Oklahoma City
vs
The J.M. Richardson Lumber Co.

And now to-wit on this 8th of September 1894 the above cause having come on for final determination and judgment and the Court being in all things advised in the premises - It is therefore held ordered and adjudged that the judgment of the lower Court be reversed at the costs of above Defendant in Error
The judgment in above cause was delivered orally by McAtee Justice.
All the Justices concurring except Scott J. not sitting having presided in trial below.

W.H. Irwin } From District Court
No. vs } of Logan County
Mollie Carey }

And now on this 8th day of September AD 1894 the above cause having come on for final judgment and determination and the Court having been fully advised in the premises - It is therefore held ordered and adjudged that the judgment of the lower Court in all things be affirmed at the cost of Defendant in Error.
Opinion by Burford J. All the Justices concurring.

Dale C.J. not sitting having presided in the trial below.
Bierer J. not sitting having been of counsel.

Thomas O'Keefe } Appeal from District Court
No. vs } of Logan County
Dock Morris }

And now to wit on this 8th day of September 1894 the above cause having come on for final judgment and determination and the Court having been fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court in all things be reversed at the cost of defendant in error.
Opinion by Burford J.
All the justices concurring except C.J. Dale who presided in trial below and Bierer J. who was of counsel.

Dunham } Upon motion for rehearing
No vs } and Review and Reinstatement
Holloway }

And now to wit on this 8th day of September 1894 the above cause having come on for decision upon a motion for rehearing and Reinstatement. It is therefore Ordered and adjudged that the said motion be and is hereby sustained, and that said cause be redocketed.
Opinion by Dale C.J.
All the justices concurring.

Lorenzo Irwin } Appeal from Probate Court
No 128 vs } of Payne County
Eliza Jane Irwin }

And now to wit on this 8th day of September AD 1894 the above cause having come on for final judgment and determination and the court being fully advised in the premises.
It is therefore held ordered and adjudged that the judgment of the lower Court in all things be reversed at the cost of above Defendant in Error.
Dale C.J. delivering opinion
Scott J. dissenting

Opinion by Order of the Court recorded on page Book of opinion.

No 147. The City of Guthrie
vs
New Bank of Vienna

And now on this 8th of September 1894 came Harper S. Cunningham of counsel for defendant above and serves notice in open Court of his intention to file a motion for Rehearing and Review in above Cause.

In Re:
Changing date for term
of the District Court in
and for Oklahoma County

And now to wit on this 8th day of September 1894 It is by the Court ordered that a regular term of the District Court of Oklahoma County shall be held at Oklahoma City Oklahoma County beginning on Monday October 7th 1894.

It is further ordered that orders heretofore made in conflict with above are hereby vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the term provided for by this order, and all orders writs and summons of every character returnable to the term of Court as heretofore fixed shall be returnable and stand for determination at the several terms as provided in this order, and all persons under bond or recognizance to appear at any term of Court as heretofore fixed shall be required to appear on the first day of the term of Court as fixed in this order.

It is further ordered that the Clerk of this Court make and transmit a certified copy of above order to the Clerk of the District Court of Oklahoma County

In Re:
Assignment of Dale C.J. to try
Case No 731 - in the District Court of Canadian County.

And now to wit on this 8th day of September 1894 It appearing to the Court that Hon. Jno H Burford declines for cause to sit as judge in above Cause viz: Territory of Oklahoma vs. A.J. Jennings Edw E. Jennings John Jennings Frank Darling and J.O. McCann - It is therefore ordered and adjudged that Hon. Frank Dale Judge be and is hereby assigned to try said Cause. It is further ordered that a certified copy of this order be mailed to the Clerk of the District Court of Canadian County.

In Re:
Adopting Rules of Practice
for Supreme Court of Oklahoma

It is hereby ordered by the Court that the following be and are hereby adopted as the Rules of Practice governing the Practice in this Court.
It is further ordered that the same be spread of record on the Court Journal.

I Court will meet in regular sessions the first Tuesday in January, and the second Tuesday in June, each year.
All Causes will be heard by the Court on the days for which they are assigned.

Security for Costs

II. No Cause shall be docketed nor process issued thereon (except causes wherein the Territory or the United States is appellant) until the Plaintiff in Error or Appellant shall pay to the Clerk Ten Dollars advance fees: nor shall any court cause be docketed until security for costs shall be given, approved by the Clerk of the Supreme Court, conditional for the payment for all costs for which the plaintiff in Error may be liable.

Pleadings.

III. Counsel for Appellant, or plaintiff in Error shall number the pages of the petition in Error and the Record, before filing the same.

IV. Counsel shall file the printed briefs in each case, six copies for the Court and four for the Reporter and Librarian. The briefs must refer specifically to the page of the record which Counsel desire to have examined.

V. The Clerk will deliver one copy of each brief to the Territorial Librarian, to be bound and indexed and placed in the Territorial Library. That the briefs may be of uniform size and thus capable of being bound in uniform and convenient volumes counsel are requested to have such briefs printed in pages corresponding in size and form to the pages of the Oklahoma Reports viz: inches.

VI. In each civil cause counsel for plaintiff in error shall furnish a copy of his brief to counsel for defendant in error at least thirty days before the first day of the term of Court, and the counsel for defendant in error shall furnish a copy of his brief to counsel for plaintiff in error at least ten days before the first day of said term.
Proof of service of the briefs must be filed with the clerk of the Court seven days prior to the first day of said term. In case of a failure to comply with the requirements of this rule, the Court may continue or dismiss the cause, or affirm or reverse the judgment

VII. In all criminal appeals in which the Territory or the United States is a party, and in all civil causes in which the Territory or the United States is a party or in which any of the property of the Territory or of the United States is involved, counsel shall serve their briefs upon the Attorney General or the United States District Attorney — such service to be made as in civil cases, as provided in Rule VI. concerning the service of briefs on other counsel.

Court Calendars.

VIII. Prior to the commencement of each term of Court, the Clerk will send to the attorneys interested a printed copy of the trial Docket for the term following, showing the day on which each cause shall be heard.
All attorneys interested shall be notified by the clerk of all orders of the Court concerning each case.

IX. Arguments, Notice of.

Attorneys desiring to make oral arguments shall serve notice on the Clerk of their intention at least seven days prior to the first day of the term. If no such notice is served, causes will stand submitted on the printed briefs. No oral argument will be heard on motions. One hour only, except with the consent of the Court, shall be consumed in the oral argument of a cause by counsel for either party.

X. Assignment of Causes

Causes will be assigned for hearing in their order upon the appearance docket except as otherwise provided by law; but a cause may be, upon motion filed therefor, be heard out of its regular order, for special and sufficient reasons set out in such motion.

XI. Continuance

A Continuance in a civil cause unless otherwise expressed in the order, will carry it to the heel of the docket.

A continuance in a criminal cause will carry it to the next term of Court.

Records.

XII. Of all causes in which the Supreme Court has original jurisdiction, a full record shall be made. Of all other causes no full record shall be made except at the request and cost of the party desiring the same to be done.

XIII. The papers filed in each cause shall be kept in a package, on which shall be endorsed the title and number of the cause, the number of the package always corresponding with the number on the appearance docket, and with the number on the margin of the journal where the orders in such causes are entered.

XIV. Copies of Records

Counsel of record in any cause may at all times have free access to all files in the office of the Clerk of the Court, but no files shall be taken from the office of the Clerk except upon the written application of an attorney of record in the cause, and all papers so taken must be receipted for at the time when the same are received, and must in all instances be returned within a period of ten days from the time when they are received by counsel. But the Clerk shall prior to the time any papers are removed, make copies of all records removed from the office of said clerk.

A failure to comply with this rule shall subject the party so in default to a proceeding for contempt; but no files shall be taken from the office of the Clerk during the sessions of the Supreme Court.

XV. Executions

Execution on a judgment for costs having been returned unsatisfied, the Clerk may notify the securities for costs, or their executors or administrators, of such return, and that unless said costs are paid within ten days after receipt of said notice, motion will be made for a judgment against them.

If good cause shall not be shown why the same ought not to be done, judgment may be entered against said securities, or their executors or administrators, for the amount remaining unpaid, for which the plaintiff in error may be liable; and execution may be issued on such judgment as in other cases.

XVI. Motions - Notice of.

Orders for amending or completing transcripts and cases made, or for remanding, reinstating or dismissing causes, will be made only upon written motions, stating the grounds therefor, and at least two days notice thereof must be served upon opposing Counsel.

XVII. Licensing Attorneys.

The manner of applying for a rehearing shall be as follows.

Any practicing attorney of the District Courts will on motion, be admitted to practice in this Court. Any practicing Attorney of any state or Territory having professional business in this Court may on motion be admitted for the purpose of presenting any cause in which he appears as Counsel. All motions for the admission of attorneys must be presented to the Court at the opening hour of its session, immediately after the first call of the docket for the day. Each attorney on being admitted, shall pay three dollars to the Clerk, who shall furnish such attorney a certificate of admission and a printed Copy of the Rules.

XVIII. Rehearing—Time and Manner of application.

The manner of applying for a rehearing shall be as follows.
Within fifteen days after an opinion is filed, a party desiring a rehearing shall give actual notice in writing to the opposite party, or to his attorney, of his intention to make such application, and within thirty days after the filing of an opinion shall place on file in the Clerk's office five printed Copies of the petition.

XIX Application for a rehearing of any cause shall be made by petition to the Court signed by Counsel, briefly stating the grounds for a rehearing and the authorities relied on in support thereof.
When a rehearing is granted notice shall be given to the opposite party of the time when such rehearing will be had; and one half hour only shall be allowed Counsel for argument upon an application for rehearing.

XX Rehearings—Supersedeas—Stay of Proceeding

Any of the justices of this Court may, in vacation make an order which shall operate as a supersedeas in any case which has been submitted to this Court for hearing and judgment, whenever a reargument of the same shall ~~be stayed~~ in their opinion be advisable.

XXI When an opinion in any case is filed in vacation and a petition for rehearing shall be presented to either of the justices of this Court, if he shall certify that there is probable grounds for granting a rehearing all further proceedings authorized by this judgment of the Court shall be stayed until the next term of the Court.

XXII. Upon the affirmance of judgment executions may issue at the option of the party from this Court, or if such party so elect a writ of procedendo shall be issued to the Court below upon the payment of the successful party of the Costs made by him in this Court.

XXIII. Motions.

Motions may be made immediately after the decisions of the Court are announced, but at no other time unless in case of necessity or in relation to a cause when called in course.

Oral arguments will not be heard upon any motion except as provided in Rule IX.

XXIV. All special motions shall be in writing and filed with the Clerk, together with the reasons in support thereof, at least one day before they shall be submitted to the Court. Objections to motions must also be in writing: Oral arguments will not be heard.

XXV. When a motion is intended to be based on matters which do not appear in the record, the facts must be disclosed and supported by affidavit.

United States of America
Territory of Oklahoma

Be it remembered that on this the first day of January in the Year of Our Lord One Thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie and there being no quorum present. It was ordered by the Hon. Frank Dale Chief Justice that the said Court be and stand adjourned until 2 O'clock P.M. January 2nd 1895. and it was so proclaimed.

United States of America
Territory of Oklahoma

Be it Remembered that on this the second day of January in the year of our Lord One thousand eight hundred and ninety five. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, and there being no quorum present, it was ordered by the Hon Frank Dale Chief Justice that the Court stand adjourned until 10 o'clock a.m. January 3rd, 1895. And it was so proclaimed.

United States of America
Territory of Oklahoma

Be it Remembered that on this the third day of January in the year of our Lord One thousand eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There were present Hon Frank Dale Chief Justice. Hon's John H Burford and A G C Bierer Associate Justice. Hon C R Brooks U.S. Atty Hon E D Nix U.S. Marshal Edgar W. Jones clerk and W. A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the crier the following business was had and done

And on motion of J. J. Dille Frank Gillette of El Reno was admitted to practice in the Supreme Court

Dick Abel) Appeal from District
No 228. vs } Court of Logan County
H. J. Blair)

And now to wit on this 3rd day of January 95 comes J Misky Esq. and asks leave of the Court to file an affidavit in the above entitled cause. Consent given and affidavit filed

Wm Manley
No 113 vs
Choctaw Railway &c

And now to wit on this 3rd day of January 1895 the above cause was called up by M W Noffsinger Esqr Atty for Deft in error who asks leave of the Court to file answer and briefs in above cause. Consent given and papers filed accordingly

David A. Churchill
vs
Choctaw Railway &c.

And now comes M W Noffsinger Atty for Deft in error above and asks leave of the Court to file answer and brief in the above cause. Consent of the Court is given and the papers are filed accordingly.

No 179 City of Guthrie
vs
The New Vienna Bank.

And now to wit on this 3rd day of January 1895 the Court after consideration allows the motion for oral argument in the above entitled cause upon a motion for rehearing and review

No 226 M. C. Magne
vs
Frank J. Wikoff

And now comes Geo. P. Uhl Esqr and asks the Court to announce conclusions in above cause upon a motion to require appellee to file additional papers in above cause. The Court announces that the motion is under consideration

No 219 ~~Meshack Couch
vs
Carrie G.~~
No 217 Benjamin F. Lee
vs
John A. Wilson

And now comes Amos Green Esqr. Atty for appellant in above cause and asks leave to file motion for oral argument in above cause. Consent of the is given and motion is so filed.

No 223 Andrew C. Snell
vs
Frances M. Fay

And now comes John Foster Esqr and asks leave of the Court eight days time in which to file briefs for appellants in above cause. The Court directs that motion be filed with the clerk

No 215 The Kansas Moline Plow Co
vs
G. W. Sherman

And now comes Selwyn Douglas Esqr Atty for Plff in Error in above cause and asks leave of the Court to file briefs in the above cause

Consent of the Court is given and briefs are accordingly filed. Fifteen days time are given appellees in which to file briefs.

No 122 Wesley Myers
vs
William E. Berry

And now comes appellants attorney and asks leave to file briefs in the above cause. Consent of the Court being given the briefs were accordingly filed.

No 85 John Dossett
vs
United States

And now comes Geo. Gardner Esq. and asks leave of the Court to file type written briefs in the above cause. No objection being made by the U.S. Atty consent was given with directions to file same within five days from date. Appellees are given five days to file answer briefs and cause to stand for call.

No 133 [illegible]
vs
John A. Johnson

And now comes J. W. Shartel of counsel for appellants in above cause and ask time in which to file reply briefs. Consent of the Court is given.

No 104 The City of Guthrie
vs
The Halsell & Co.

And now comes C. G. Horner of counsel for defendants in error in above cause and asks the Court to pass upon motion to dismiss in the above cause. It is announced by the Court that the motion is under consideration.

No 107 County Commissioners of Logan Co
vs
The City of Guthrie

And now to-wit on this 3rd day

of January 1895 the above cause having been reached upon the call of the Docket the same was taken by the Court upon the record and briefs

No 209
Robert S. Reaves
vs
James Colmer

And now to wit on this 3rd of January 1895 the above cause having been reached upon the regular call of the Docket, the same was taken by the Court upon the Records and briefs

No 220.
Samuel Murphy and H W Pentecost
as administrators of the estate of
Francis R. McKennon decd
vs
Harry Cotton Jennie Cotton
August Frank and Thos J. Taylor.

And now to wit on this 3rd day of January 1895 the above cause having been reached upon the regular Call of the Docket the same was taken upon the records and briefs

No 221
John W Nixon The Johnson Life Ins Co.
a Corporation Wm B Grimes Dry Goods Co.
vs
Geo S. Hubbell John S. Gilmore
Wm. E E Root

And now to wit on this 3rd day of January 1895 the above cause having been reached upon the regular call of the Docket, the same was at this time argued and submitted a reasonable length of time being granted appellees in which to file reply briefs.

No 222
John F Stanley
vs
Alexander Jones

And now to wit on this 3rd of Jany 1895 the above cause having come on for hearing the same was at this time submitted upon the record.

No 189 Barton Bros
vs
Spencer et al

And now to wit on this 3rd of January 1895 the above cause being called up by Counsel for Plff in Error upon motion for additional time in which to file additional briefs. 30 days time was granted for that purpose.

No 201 City of Guthrie
vs
A.S. Beaman

And now to wit on this 3rd of January 95 the above cause having been reached upon the regular call of the docket the same was continued for the term 90 days time being given the parties in which to file briefs.

No 231 City of Guthrie
vs
Cynthia E. Swan

And now comes Geo. Gardner counsel for Plff in Error in above cause and asks the court to pass upon motion to dismiss in the above cause. The Court advises counsel that the motion is under consideration

No 228 Dick Abel
vs
W.J. Blair

And now comes Joseph Wisby Counsel for Appellant in above cause and asks permission of the Court to introduce certain evidence in the above cause. The Court directs Counsel to file motion to that effect with Clerk

In Re:
Application for bail and
Stay of Execution in the
Case of H. Shoemaker vs Territory

And now to wit on this 3rd of January 1895 ~~the~~ comes now Geo. Gardner Counsel for appellant in the above cause and asks leave of the Court to file petition in above cause. He is directed by the Court to file papers in case with the Clerk which is accordingly done.

In Re:
Approving accts of
E.E. Pitts Clerk Dist Court
of Logan Co. and for
1st Judicial District.

Whereas E.E. Pitts Clerk of the U.S. District Court of the first Judicial District of the Territory of Oklahoma residing at Guthrie in the County of Logan in said Territory has on this the 3rd day of January A.D. 1895 presented in open Court an account of all fees and emoluments as said Clerk from the first day of July 1894 to the 31st day of December 1894 and in the presence of Hon C.R. Brooks U.S. Atty has proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered according to law. And the same appearing reasonable and just it is therefore considered ordered and adjudged that the said account amounting to the sum of $2.238.05 be and the same is hereby approved.

And thereupon by order of the Court Proclamation having been made the Court was adjourned 10 o'clock a.m. January 4th 1895.

Attest
[illegible]
Clk.

United States of America
Territory of Oklahoma

And now to wit on this fourth day of January A.D. 1895 the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the January term of said Court.

There were present Hon. Frank Dale Chief Justice, Hons. Jno. H. Burford, A. G. C. Bierer and Jno. L. McAtee, Associate Justices, Hon. C. R. Brooks U.S. Atty, Hon. E. D. Nix U.S. Marshal, Edgar W. Jones Clerk and J. H. [illegible] Court Crier.

Proclamation of the opening of Court having been made by the Crier the following ~~among other~~ business was had and done

Henry Edmond
vs
No 108
Territory of Oklahoma

And now to wit on this 4th day of January 1895 the Court orders that plaintiff in error have file substitute motion for rehearing and remittur in the above cause within twenty four hours from this 10 P.M. Jany 4 '95.

Long-Bell Lumber Co
vs
No 116
Coleman and Meyers

And now to wit on this 4th day of January 1895 the above cause having come on for decision upon a motion to dismiss. It is therefore held ordered and adjudged that the said motion to be dismissed be sustained as to the third ground in motion and that the judgment in the lower court be and the same is hereby affirmed.

A. O. Sineman
No [illegible]
vs
J. H. Marshal

And now to wit on this 4th day of January 1895 the above cause having come on for decision upon a motion to strike cause from docket It was therefore held ordered and adjudged that the said motion be and the same is hereby sustained

In Re
Henry Shoemaker

And now on this 8th day of January 1895 the above cause having come on for hearing upon application for bail and stay of execution It is by the Court ordered and adjudged that said cause be and the same is hereby Continued until Jany 9th 95 at 10 o'clock am

In Re:
J L Brown Mandamus

And now the Court directs that the above cause be taken up at 2 PM this 8th of Jany and that counsel be allowed thirty minutes on each side in argument

Wm N. Dunn
No 190 vs
Samuel Drummond

And now on this 8th of January 1895 comes [redacted] counsel for appellant in above cause and asks thirty days leave in which to substitute representatives of decd appellant in above cause The Court after consideration grants the motion and thirty days time is accordingly allowed.

Mary J. Franklin Receiver
No 229 vs
Wm Cameron & Co Et al.

And now on this 8th day of January 1895 the above cause having come on for decision upon a motion to dismiss the said motion is at this time overruled the clerk directed to number the pages of the record in said cause at cost of Appellant and five days time are given Appellant to file briefs

No 228 Dick Abel
vs
W. J. Blair

And now on this 4th day of January 1895 the above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore held ordered and adjudged that said motion be and the same is hereby sustained and judgment of the lower Court affirmed

No. 33 [illegible]
vs
John Robinson

And now to wit on this 4th day of January 1895 the above Cause having come in for determination upon a motion for an extension of time for oral argument It is therefore by the Court held ordered and adjudged that an extension of time of thirty minutes on a side be given the Attorneys in above cause for oral argument.

No 231 City of Guthrie
vs
Cynthia E. Swan

And now to wit on this 4th of January 1895 the above cause having come on for decision upon a motion to dismiss
It is the judgment of the Court that said motion be and the same is hereby overruled It is further ordered that 10 days time be given appellant in which to file briefs in above cause and that five days time be given appellee in which to file reply briefs Said Cause to be submitted at this time without oral argument

In Re: Admission of Attorneys.

And now to wit on this 4th of January 1895 the following Attorneys were upon motion admitted to practice in this Court

R. C. Steward and G. W. Buckner of Guthrie and A. L. Jennings of [illegible]

No 246 W. C. Hagan
vs
Frank J. Minkoff

And now comes on this 4th day of January 1895 [illegible] who asks leave to file motion in above cause. Leave is accordingly granted and motion filed with the Clerk.

No 201 Robert S. Evans
vs
James C. Oliver

And now comes J. A. Baker of counsel for appellant in above cause and asks leave of the Court to orally argue the above cause — the request is by the Court refused.

No 207 J. W. McMurtry & Co
vs
W. P. Francis et al.

And now comes E. M. Bamford of counsel for appellant in above cause and asks leave of the Court to file motion in above cause. Consent of the Court is given and the motion is so filed.

No 236 Frank Hindman
vs
County of Logan

And now on this 4th day of January 1895 the above cause having been reached upon the regular call of the docket the same was submitted for the term by agreement of all parties concerned.

No 224 Sanin S. De Ford and Allie S. De Ford
vs
W. W. Painter et al

And now on this 4th day of January 1895 the above cause having been reached upon the regular call of the docket J. C. Strang of counsel for appellants suggests that full bench should be present before above cause is argued and submitted. The cause is thereupon passed for the time being.

J. Matthews
No 73 vs
J. M. Young
And now on this 4th of January 1895 the above cause having come on for argument upon the regular call of the docket, the same was at this time submitted upon the record.

The City of Guthrie
No 71 vs
A. C. Beamer
And now to wit on this 4th day of January 1895 the above cause having been reached upon the regular call of the docket, the said cause was continued for the term all parties interested agreeing to same. Ninety days time are given counsel in which to file briefs.

A. T. & S. F. R R Co
No 133 vs
John R Johnson
And now on this 4th day of January 1895 the Court announces that the above entitled cause will be set down for argument on January 7th 1895 at 10 o'clock a.m.

Terry Simm
No 118 vs
United States
And now on this 4th day of January 1895 the above cause having come on for determination upon a motion for rehearing and remand and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is in all things denied

Calvin J Mason
No 182 vs
Fullerton & Cromwell
And now to wit on this 4th day of January 1895 the above cause having come on for

determination upon a motion to dismiss it is therefore held ordered and adjudged that the said motion be and ~~[illegible]~~ the same is hereby in all things denied.

No [illegible] J C Richardson
vs
Orville [illegible]

And now on this 4th of January 95 the above cause having come on for decision upon a motion to dismiss it is therefore the judgment of the Court that the said motion be and the same is hereby overruled.

No 163 C. W. Purcell
vs
J M Jackson and [illegible] Interpleader

And now to wit on this 4th day of January 95 the above cause having come on for decision upon a motion to reinstate. It is therefore held ordered and adjudged that the said motion be and the same is hereby overruled.

No 233 Andrew C. Schnell
vs
Francis M Jay

And now to wit on this 4th day of January 95 the above cause having come on for determination upon a motion to dismiss. It is the judgment of the Court that the said motion be and the same is hereby sustained.

No 221 Darwin S De Ford and Allie C De Ford
vs
W W Painter Et Al

And now the above case being called up for argument the same was at this time argued and submitted. D. Strang appearing for appellant and [illegible] appearing for the appellee.

In Re. Jno Brown
Upon Application for
Order of Supersedeas

And now on this 4th day of January 1895 the above Cause having been called. Arguments were at this time had and said Cause submitted

And thereupon by Order of Court Proclamation having been made the Court was adjourned until 10 o'clock January 5th 1895.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this fifth day of January in the year of Our Lord One thousand eight hundred and ninety five: the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the January term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H Burford A G C Bierer and Jno L McAtee Associate Justices, Hon C R Brooks US atty, Hon E D Nix US Marshal Edgar W Jones Clerk and W H Taylor Court Crier

Proclamation of the opening of Court having been made the following business was had and done.

In Re:
J L Brown
Upon Application for Writ of Mandamus and upon Appeal.

It is by the Court held ordered and adjudged that in the above entitled cause the record should be complete and submitted to the Court for guidance before an opinion can be properly reached and determined upon

In Re:
Admission of Attorneys

And now on this 5th day of January 1895 J H Pitzer of El Reno is hereby admitted to practice in the Supreme Court of this Territory

No 738 J L Matthews
vs
Francis M Young

And now comes H R Thurston Counsel for defendant in error in above cause and asks leave of the Court to file briefs in above cause - ten days time are hereby granted him in which to file briefs

No 222 John P. Hulty
vs
Alexander James

And now on this fifth day of January AD 1895 the Court upon application of Counsel for Defendants in Error above allows ten days for reply briefs to be filed.

No 225 Geo. Ruhl
vs
Eliza Jane Drum Et al.

And now on this 5th day of January 1895 the above cause having been reached upon the regular call of the docket, the same was at this time argued and submitted.

No 227 The Diebold Safe and Lock Co
vs
M. N. J. Holt.

And now to wit on this 5th day of January 1895 the above cause having been reached upon the regular call of the Docket the same was at this time continued for the term.

In Re:
Fixing dates for
holding terms of
Court in the
Second Judicial District

And now to wit on this fifth day of January AD 1895 the said date being one of the regular judicial days of the January term of said Court, the following order was made relative to the Second Judicial District:

It is hereby ordered that terms of Court shall be held in the second judicial district as follows.

At Watonga in Blaine Co. fourth Wednesday in April and first Tuesday in October

At Taloga in D. Co. Fourth Wednesday in April and First Tuesday in October of each year.

At Grand in Day County Second Wednesday in April and Third Wednesday in September of each year

At Cheyenne in Roger Mills County Third Monday in April and Fourth Monday in September of each year

At Arapahoe in "G" County Fifth Monday in April and Second Tuesday in October of each year.

At Cloud Chief in Washita County First Monday in May and Third Tuesday in October of each year.

At El Reno in Canadian County Second Monday in February and Second Tuesday in May and Second Monday in November of each year

And it is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the next term provided for by this order, and all orders writs and summons of every character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the next term in the several Counties as provided in this order. And all persons under bond or recognizance to appear at any term of Court heretofore fixed shall be required to appear on the first day of the next term of Court as fixed in this order in the County in which each was required to appear by such bond or recognizance.

And it is further ordered that a Copy hereof duly certified to by the Clerk of the Supreme Court shall by him be prepared and transmitted to each District Clerk of the Counties in Oklahoma so affected by this order.

And thereupon by order of the Court Proclamation having been made the Court was adjourned until February 7th 1895 at 10 o'clock a.m.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the seventh day of January in the Year of Our Lord One thousand eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There were present Hon. Frank Dale Chief Justice, Henry W Scott Jno H Burford A G C Bierer and Jno. L McAtee Associate Justices, Hon C R Brooks Marshal Thomas [illegible] Nix [illegible] Edgar W Jones Clerk and W A Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had [illegible]

[illegible] J McMeachan
No 185 vs
[illegible] Christy

The above having come on for decision upon a motion for diminution of the record the said motion is sustained.

Wesley Myers
No 232 vs
William E Berry

And now on this 7th of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and briefs.

J N Bailey
No 233 vs
August Behrandt

And now to wit on this 7th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and briefs.

No. 734 Nelson Irwin
vs
Eliza Jane Irwin

And now on this 7th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time argued and submitted.

No [illegible] E. J. Kelley
vs
A. J. Seay

And now on this 7th day of January 1895 comes defendant and asks leave to file briefs in ~~above~~ cause consent of the Court is given and briefs are accordingly filed.

And thereupon by order of Court Proclamation having been made by the Crier - the Court was adjourned until 10 o'clock am January 8th 1895.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the Eighth day of January in the Year of Our Lord One thousand eight hundred and ninety five. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There were present Hon Frank Dale Chief Justice Hons John H Burford A G C Bierer and Jno. L McAtee Associate Justices Hon. C R Brooks US Atty Hon E D Nix US Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Proclamation of the Opening of Court having been made by the Crier the following business was had and done.

W.H. Crieley a practicing Attorney of El Reno was at this time admitted to practice in the Supreme Court of Oklahoma upon motion of J.R. Keaton Esqr

No 233 J M Bailey
vs
August Behrant

And now on this 8th day of January 1895 Comes counsel for Defendant in error in above cause and asks permission to file additional briefs in the above cause. Consent of the Court is given.

No 191 Earnest Sharpe Treasurer &c
vs
M M Engle Et al

And now to-wit on this 8th day of January 1895 the above cause having been reached upon the regular call of the Docket the same was at this time submitted the Court allowing appellant ten days time from this date in which to prepare and file briefs allowing also appellees twenty days time from this date in which to prepare and file briefs.

No 710

Thomas Fitzgerald
vs
Chas. Keith Guardian of
Mary Bird et al

And now on this 8th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record.

No 157

Robert Dorman and Cliff Tucker
vs.
George S. Saunders

And now on this 8th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record. Appellants being allowed five days in which to file briefs and appellees allowed five days in which to file answer briefs.

And thereupon by order of Court Proclamation having been made the Court was adjourned until 10 o'clock am January 9th 1895.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the ninth day of January in the year of Our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular Judicial days of the January term of said Court.

There were present Hon Frank Dale Chief Justice, Hon Jno H Burford, A G C Bierer and Jno L McAtee Associate Justices, Hon C R Brooks U S Attorney, Hon E D Nix U S Marshal, Edgar W Jones Clerk and M A Taylor Court Crier.

The opening of Court having been proclaimed by the Crier, the following business was had and done.

Rebecca J Smith Et al
No 212 vs
H Baker & Co Et al

And now on this 9th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time argued and submitted

C E Potts Et al
No 245 vs
Myrt M Kennison Et al

And now to-wit on this 9th day of January 1895 the above cause having come on for decision upon a motion to strike case made from docket. It is the judgment of the Court that the said motion be sustained

In Re:
J L Brown Mandamus.

And now came J L Brown and asks leave of the Court for additional time for oral argument in the above cause. The Court after consideration denies the request

Rebecca A Smith et al
No 712 vs
J H Baker & Co

And now to wit on this 9th day of January 1895 the Court announces that five days time will be given appellants in which to file briefs in above cause, and that five days additional time will be given to file briefs on behalf of the appellees.

N. W. Mass and Lydia A Mass
No 71[illegible] vs
The Tennent Stribbling Shoe Co

And now to wit on this 9th day of January 1895 the above cause having been reached upon the regular call of the docket. The Court announces that five days time from this date will be allowed the appellants in which to file briefs and that five days additional time will be allowed appellees in which to file answer briefs.

James D Hurst
No 716 vs
Hamlin W. Sawyer

And now to wit on this 9th day of January 1895 the above cause having been reached upon the regular call of the docket the said cause was continued for the term

Arthur Braithwaite
No 714 vs
Evan D. Cameron

And now to wit on this 9th day of January 1895 the above cause having been reached upon the regular call of the docket. the cause was at this time continued until 10 o'clock am Jany 10th 1895

S. H. Akerman
No 143 vs
J P Christy

And now on this 9th day of January 1895 the Court announces that the appellant in the above entitled shall be allowed fifteen days from the present date in which to file briefs

E. J. Kelley
vs
No 144 A J Seay
And now to wit on this 9th day of January 1895 the Court announces that fifteen days time will be given appellees in above cause in which to file briefs.

Thos F McMullin
No 165 vs
T P Christy
And now to wit on this 9th day of January the above cause having been reached upon the regular call of the Docket the same was at this time continued for the term. All parties interested consenting.

A T and S F R R Co.
No 133 vs
John R Johnson
And now on this 9th day of January 1895 the above cause having been reached upon the regular call of the docket the said cause was at this time continued until 2 o'clock PM Jany 10th 1895

In Re:
H. Shoemaker
Upon application for
Stay of execution and for
Writ of Habeas Corpus
The above cause at this time having been called up the same was at this time passed without argument or action taken [illegible]

R R Blanchard
vs
United States
The above cause having been at this time reached upon the regular call of the docket the same was at this time [illegible] Jany 9th

1895. Passed without action.

[illegible]
vs
United States

The above cause having at this time to wit the 9th of January 1895 been reached upon the regular call of the docket the same was passed by the Court without action.

And thereupon by order of the Court Proclamation having been made the Court was adjourned until 10 o'clock am January 10th 1895

Attest

United States of America
Territory of Oklahoma

Be it remembered that on this the tenth day of January in the year of our Lord one thousand eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, the above date being one of the regular judicial days of the January term of said Court. There were present Hon Frank Dale Chief Justice, Hons John H Burford, A G C Bierer and Jno L McAtee Associate Justices, Hon C R Brooks U S attorney, Hon E D Nix Marshal, Edgar W Jones Clerk and W Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.

In Re:
Admission of Attorneys

And now comes C A Galbraith and moves the admission of J C Scott and F S St John and F P Williams. The Court being satisfied as to their qualifications they were duly declared eligible to practice in the Supreme Court of Oklahoma Territory, the prescribed oath having been duly administered.

In Re:
Henry Shoemaker
Upon Application for
bail and stay of execution

And there to wit on the tenth day of January 1895 the above cause having been reached upon the call of the docket the same was continued until 10 o'clock a.m. January 11th, 1895.

W M Gorin
No 708 vs
A E Walling

And now on this 10th of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted for determination without oral argument.

N. Carter et al
No. 778 vs
The Missouri Mining and Lumber Co

And now on this 10th [illegible] January [illegible] the above cause having been reached upon the regular call of the Docket the same was at this time submitted upon the record and briefs and without oral argument.

Vaughn Lumber Co
No. 779 vs
The Missouri Mining and Lumber Co

And now on this 10th day of January [illegible] the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted upon the records and briefs and without oral argument.

Lawson Wheeler
No. 765 vs
Oscar L Smith et al

And now on this 10th day of January [illegible] the above cause was called up by Counsel for appellee on motion to dismiss. The Court announces that the said motion is under consideration and the cause is passed for the present.

Linder & Paine
No. 781 vs
C. M. Foster et al

And now [illegible] on this 10th day of January 1892 comes A. S. Cunningham of Counsel for appellant and asks leave of the Court to prepare and submit supplemental briefs in the above cause. Consent of the Court is given and Counsel advised to file briefs with Clerk.

In Re
J. L. Brown Mandamus

And now comes Counsel for appellant and asks leave to file additional briefs in behalf of appellant. Consent of the Court is given and briefs are accordingly filed with clerk.

1072 Arthur Braithwaite
vs
E D Cameron Auditor &c

And now on this 6th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time argued and submitted. C. A. Galbraith Attorney General appearing for appellee and Geo Green appearing for the appellant.

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until 10 o'clock a m January 11th 1895

Attest
Edgar W Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the eleventh day of January in the year of Our Lord One thousand eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment.

There were present Hon Frank Dale Chief Justice Hons John H Burford A G C Bierer and Jno L McAtee Associate Justices Hon. C R Brooks US Attorney Hon E D Nix US Marshal Edgar W Jones Clerk and W A Taylor Court Crier

Proclamation of the opening of Court having been made by the Crier the following business was had and done,

In Re:
Admission of Attorneys.

And now to wit on this 11th day of January 1895 came A B Martin J. Milton and J H Everest who upon motion were admitted to practice in the Supreme Court of Oklahoma - having proven to the satisfaction of the Court their qualifications and the prescribed Oath having been administered.

In Re:
Henry M Shoemaker
upon application for
Bail and Stay of execution

And now to wit on this 11th day of January 1895 the above cause having been reached upon the regular call of the Docket, the same was at this time passed until this P.M. at 2 o'clock.

R R Blanchard
vs
United States

And now on this 11th day of January 1895 the above cause having been reached upon the call of the docket the same was at this time passed without action

Myers
vs
United States

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time passed without any action.

No 706 L. C. Grimes
vs
Jo. Cullison

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the Docket, the same was at this time taken upon the record and briefs

No 714 Arthur Braithwaite
vs
Evan D. Cameron Auditor of

And now on this 11th day of January 1895 the above cause having been called upon motion of Counsel for appellant upon application to cite additional authorities in said cause said application was allowed and the said citations filed with the Clerk

No 715 The Kansas Moline Plow Company
vs
G. W. Sherman

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the Docket, the same was at this time argued and submitted.

No 716 Benjamin F. Lee
vs
John R. Wilson

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the docket, the same was at this time submitted upon the record and briefs

No 214 Meshach Couch
vs
Edwin Orme

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and briefs

No 184 May Burt
vs
J W Carson

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the docket. the same was at this time submitted upon a motion to affirm the judgment

No 186 C M Turner et al
vs
J S Ferrell et al

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and brief.

No 194 Jessie W Chisholm
vs
Theodore H Weisse

And now on this 11th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and briefs

No 155 Clark
vs
James A Ewing et al

And now on this 11th day of January 1895 the above cause having come on for decision upon a motion to punish for contempt the Court at this time cites the defendant to appear before the Supreme Court at Guthrie on or before the day of January 1895 then and there to do what the said Court shall order in the premises

No 198 Henry Edmond
vs
Territory of Oklahoma

Be it Remembered that on this 11th day of January 1895 the above cause having come on for decision upon a motion for rehearing and review. It is the judgment of the Court that the said motion be and the same is hereby in all things denied.

No 113 J H Whaley
vs
Choctaw Coal and Railway Co.

And now on this 11th day of January 1895 the above cause having come on for decision upon a motion to continue. It is the order of the Court that the said cause be and the same is hereby continued for the term.

No 114 D A Churchill
vs
Choctaw Railway Co.

And now on this 11th day of January 1895 the above cause having come on for decision upon a motion to continue. It is the order of the Court that said cause be and the same is hereby continued for the term.

No 159 School District No 71 Kingfisher Co
vs
W C Long Co. Clerk Et al

And now on this 11th day of January 95 the above cause having come on for decision upon a motion for rehearing and review. It is the judgment of the Court that said motion be and the same is hereby denied. Costs of this action assessed to above plaintiff in Error

No 705 Orion P. Smith et al
vs
Johnston Wheeler

And now on this 11th day of January 1895 the above cause having come on for decision upon a motion to dismiss it is by the Court ordered that the said motion be and the same is hereby overruled

No [illegible] [illegible]
vs
[illegible] et al

And now on this 11th of January 1895 the above cause having come on for decision upon a motion for rehearing and review the judgment of the Court is that the said motion be and the same is hereby sustained
Said cause to stand continued for the term appellants being allowed 60 ds. in which to file briefs and appellees being allowed 30 ds thereafter in which to file reply briefs

No 3[illegible] Samuel Irvin
vs
Eliza Jane Irvin

And now on this 11th day of January 1895 the above cause having come on for decision upon a motion for rehearing and review the judgment of the Court is that the said motion be and the same is hereby sustained and the petition for rehearing is hereby granted

No 60 Wm H Dunn
vs
Samuel Drummond

And now on this 11th day of January 1895 the above cause having come on for decision upon a motion of revivor of action and application to have administrator substituted in place of decd. The judgment of the Court is that the said motion be and the same is hereby sustained and cause revived in name of administrator

[illegible] Mc [illegible]
[illegible] vs.
[illegible]

And now to wit on this 11th day of [illegible] 1895 the above cause having come on for decision upon a motion requiring defendant in error to file original Journal Entry in said cause and upon motion requiring defendants in error above to [illegible] said demurrer, the said motion in the first instance is hereby sustained. The further order of the Court is that the second motion be and the same is hereby overruled.

The City of Guthrie
[illegible] vs.
[illegible] Galnell and Co

And now to wit on this 11th day of [illegible] 1895 the above cause having come on for decision upon a motion to dismiss. The judgment of the Court is that the said motion be and the same is hereby overruled. Plaintiff in error being given until January 20th 1895 to attach petition in error to case made.

In Re:
[illegible] and Myers
Upon application for writ of habeas corpus etc
[illegible]

And now on this [illegible] day [illegible] 1895 the above causes having been reached upon the call of the docket the same was at this time continued until January 12th at [illegible]

In Re:
[illegible] M [illegible]
Upon Motion to dismiss

The above cause having at this time been reached upon the call of the docket the same was at this time continued until [illegible]

In Re:

Approving accounts of
Hon C.R. Brooks US Attorney
of Oklahoma Ty.

Be it Remembered that on this the 11th day of January A.D. 1895 comes Hon C.R. Brooks US Attorney of the Territory of Oklahoma and presents in open court in the presence of Hon Roy Hoffman Asst. US Attorney an account of all fees and emoluments earned as said US Attorney from the first day of July 1894 to the thirty first day of December 94 and having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered according to law and the same appearing to be reasonable and just. It is therefore considered ordered and adjudged that the said account amounting to the sum of seven thousand one hundred thirty and 49/100 dollars ($7130.49) be and the same is hereby approved

In Re:

Approving the accounts
of Hon E.D. Nix US Marshal
for the Territory of Oklahoma

And now to wit on this 11th day of January 1895 comes Hon E.D. Nix US Marshal for the Territory of Oklahoma Comes Hon E.D. Nix US Marshal of the Territory of Oklahoma who at this time presents in open court in the presence of Hon C.R. Brooks US Attorney an account of all fees and emoluments earned as the said U.S. ~~Attorney~~ Marshal from the day of to the thirty first day of December 94 and having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered according to law and the same appearing to be reasonable and just. It is therefore considered ordered and adjudged that the said account amounting to the sum of be and the same is hereby approved.

And thereupon by order of the Court Proclamation was made and the Court was adjourned until July 12th 1895 at 6 o'clock P.M.

Attest,
Edgar M. Jones
Clerk

United States of America.
Territory of Oklahoma

Be it Remembered that on this the twelfth day of January in the year of our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment

There were present Hon. Frank Dale Chief Justice Hon. John H. Burford A. G. C. Bierer and Jno. L. McAtee Associate Justices Hon. C. R. Brooks U.S. Attorney Hon. E. D. Nix U.S. Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

In Re:
J. C. Brown
Upon Motion to advance
cause upon the docket

And now to wit on the 12th day of January 1895 the above Cause having come on for decision upon a motion to advance same upon the trial docket. It was by the Court ordered that the said Cause be set down for hearing on January 15th, 1895 at 10 o'clock a.m.

In Re:
Blanchard and Myers
Upon Application for
Habeas Corpus and
for Stay of Execution

No's [illegible]

And now to-wit on this 12th day of January 1895 the above causes having come on for argument upon the regular call of the docket the same were at this time argued and submitted

No 46 Co. Commissioners of Cleveland Co
Vs
W H Scammell et al

And now to-wit on this 12th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time argued and submitted.

In Re:
Approving the Accts
of R.L. Collins Clerk of
the U.S. District Court
of the Fifth Judicial district

Be it Remembered that on this the 12th day of January 1895. the accounts of R L Collins as Clerk of the U.S. Court of the fifth judicial district were presented in open Court by Hon R.V. Hoffman Ass't. U.S. Attorney – said accounts being for the fees and emoluments earned by the said R L Collins from the day of to the day of and it having been proven to the satisfaction of the Court that the services therein charged for were actually and necessarily rendered according to law and the same appearing to be reasonable and just, It is therefore Considered ordered and adjudged that the said account amounting to the sum of be and the same is hereby approved

And thereupon by order of the Court Proclamation having been made the Court was adjourned until 2 O'clock PM January 14th 1895.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the fourteenth day of January in the year of our Lord One thousand eight hundred and ninety five. the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There were present Hon Frank Dale Chief Justice Hons John H Burford Henry W Scott A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks US Attorney Hon E D Nix US Marshal Edgar W Jones Clerk and W A Taylor Court Crier

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

No 209 W C Moore Administrating Estate of J C Moore decd
vs
C L Lenahan

And now to wit on this 14th day of January 1895 the above cause having been reached upon the regular call of the docket, the same was at this time taken upon the record and briefs.

No 234 City of Guthrie
vs
[illegible] Bank

No 207 J M McNinty Co et al
vs
W P Francis et al

No 239 Hugo Hoffman
vs
County Commissioners of Co et al

And now to wit on this 14th day of January 1895 the above causes were on and by agreement of all counsel interested therein Consolidated for the purpose of oral argument and it is the further order of the Court that each side be and are hereby allowed two and one half hours each for oral argument

In Re:

Approving the accounts
of Jo. McClelland Clerk
of the U.S. District Court in
and for the Fifth Judicial District.

And now on this fourteenth day of January 1895 comes Jo. McClelland Clerk of the U.S. District Court in and for the fifth Judicial District O.T. and at this time presents in open Court in the presence of Hon C.R. Brooks U.S. Attorney an account of all fees and emoluments earned as the said Clerk of the U.S. District Court of the fifth Judicial District from the 18th day of August 1894 to the 31st day of December 1894 inclusive and having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed according to law and the same appearing to be reasonable and just. It is therefore considered ordered and adjudged that the said account amounting to the sum of sixteen hundred and fifty nine and 65/100 dollars $1659.65, be and the same is hereby approved.

In Re:

Approving the accounts
of B.F. Hegler Clerk of the
Second Judicial District

And now on this 14th day of January 1894 comes B.F. Hegler Clerk of the U.S. District Court in and for the Second Judicial District and at this time presents in open Court in the presence of Hon C.R. Brooks U.S. Attorney an account of all fees and emoluments earned as the said Clerk of the U.S. District Court in and for the said Second Judicial District of Oklahoma Ty. from the first day of July 1894 to the 31st day of December 1894. and having proven to the satisfaction of the Court that the services therein charged for have been actually rendered according to law and the same appearing to be reasonable and just It is therefore Considered ordered and adjudged that the said account amounting to the sum of fourteen hundred ninety six and 45/100 dollars ($1496.45) be and the

In re:
Approving the accounts
of E.T. Tebbe US Commissioner
in and for the fourth Judicial district

And now to wit on this 14th day of January 1895 comes Hon Roy V. Hoffman Asst. U.S. Attorney for the Territory of Oklahoma and at this time presents in open Court an account of all fees and emoluments earned by E.T. Tebbe as U.S. Commissioner in and for the fourth Judicial district of Oklahoma Ty. from the first day of October 1894 to the 31st day of December 1894 and having proven to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed according to law and the same appearing to be reasonable and just. It is therefore Considered ordered and adjudged that the said accounts amounting to the sum of two hundred ninety three and 53/100 dollars be and the same are hereby approved.

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until January 15th 1895 at 10 o'clock a.m.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this fifteenth day of January in the year of our Lord One thousand Eight hundred and Ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. there were present Hon Frank Dale Chief Justice Hons. Jno H Burford Henry W Scott A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks U S Attorney Hon E D Nix U S Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

In Re:
J S Brown Disbarment
proceedings and Mandamus.

And now on this 15th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time argued and submitted.

In Re:
Admission of Attorneys
to practice in Supreme Court

And now to wit on this 15th of January 1895 came C A Houston of Pawnee and E E Blake of El Reno who upon motion were at this time admitted to practice in the Supreme Court of Oklahoma they having taken the prescribed oath.

No 127 City of Guthrie
vs
New Vienna Bank

And now to wit on this 15th day of January 1895 the above cause having come on for hearing upon a motion for review and rehearing the said cause was at this time argued and submitted.

No 207 J. M. McMurty [illegible] vs. — No 239 — Hoyt Huffman
Vs — Vs
W. T. Francis et al. — County Commissioners et al

And now to wit: on this 15th day of January 09 the above causes having come on for argument they were at this time argued and submitted. By stipulation on the part of all attorneys interested the full bench listened to the arguments of counsel.

And thereupon by order of the Court proclamation having been made by the crier, the Court was adjourned until January 16th 09 at 10 a.m.

Attest
[illegible]
Clerk

United States of America
Territory of Oklahoma,
Be it Remembered

that on this sixteenth day of January in the year of our Lord one thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the January term of said said Court.

There were present Hon. Frank Dale Chief Justice, Hons. Jno. H. Burford, Henry W. Scott, A. G. C. Bierer and Jno. L. McAtee Associate Justices, Hon. C. R. Brooks U.S. Attorney, E. D. Nix U.S. Marshal and Edgar W. Jones, Clerk, and W. A. Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier, the following business was had and done.

In Re:
Approving the
Accts of J. J. Saunderson
U.S. Commissioner of the
First Judicial District.

And now to wit on this 16th day of January 1895 comes J. J. Saunderson U.S. Commissioner of the first judicial District of Oklahoma Ty and residing at Guthrie and at this time presents in open Court in the presence of Hon. [illegible] Assistant U.S. Attorney for the Territory of Oklahoma his account of all fees and emoluments earned by the said J. J. Saunderson as said U.S. Commissioner of the first judicial District in Oklahoma Territory from the first day of October 1894 to the 31st day of December 1894 inclusive and having given satisfactory evidence to the Court that the said services therein charged for have been actually and necessarily charged ered according to law and the same appearing in all things to be reasonable and just. It is therefore by the Court considered ordered and adjudged by the Court that the said accounts amounting to the sum of thirteen hundred and ninety nine and 26/100 dollars be and the same are hereby approved.

In Re:

Approving the accounts
of W W Thomas as U.S. Commissioner
for the first Judicial District
of Oklahoma Ty.

And now to wit on this 16th day of January 95 comes W W Thomas U.S. Commissioner of the first Judicial District residing at Guthrie and in the presence of Hon. Roy V. Hoffman Asst U.S. Attorney for the Territory of Oklahoma presents an account of the fees and emoluments earned as such Commissioner from the first day of October 1894 to the 31st day of December 1894 and having given satisfactory proof to the Court that the services therein charged for had been actually and necessarily rendered according to law and the same appearing in all things reasonable and just It is therefore considered ordered and adjudged that the said accounts amounting to the sum of seven hundred forty two and 26/100 dollars be and the same are hereby approved.

No 739 R V Hoffman
vs
County Commissioners Pawnee Co

No 704 J W McMurty Co Atty vs
vs
W L Francis et al.

Attorneys interested in these cases are allowed by the Court ten days in which to prepare and file additional briefs.

In Re:
Approving the accounts
of Edgar W. Jones Clerk of the
Supreme Court of Okla Ty.

And now to wit On this
4th day of January 1894 comes Edgar W. Jones
Clerk of the Supreme Court of Oklahoma
Ty. and in the presence of Hon C R Brooks
U.S. Attorney for Oklahoma Ty presents in
open Court an account of the fees and
emoluments earned as such clerk
from the seventh day of October 1893
to the 31st day of December 1893.
and having proven to the satisfaction
of the Court that the services therein
charged for had been actually and
necessarily rendered according to
law and the same appearing in
all things to be reasonable and
just. It is therefore held ordered and
adjudged that the said accounts
amounting to the sum of

are and the same are hereby
approved.

In Re:
Approving the
Accounts of
Edgar W. Jones Clerk of Supreme Court

And now to wit on this
4th day of January 1895 Comes Edgar W. Jones
Clerk of the Supreme Court of Oklahoma
Ty and in the presence of Hon C R Brooks
U.S. Attorney for Oklahoma presents in
open Court an account of the fees
and emoluments earned as such clerk
from the first day of January 1894 to the
30th day of June 1894 said clerk having
proven to the satisfaction of the
Court that the services therein
charged for were actually and
necessarily rendered according to
law, and the same appearing in
all things to be reasonable and
just. It is therefore held ordered and
adjudged that the said accounts

amounting to the sum of one hundred fourteen and 95/100 dollars be and the same are hereby approved.

In Re:
Approving the Accts
of Edgar W. Jones as Clerk of
the Supreme Court of
Oklahoma Territory

And now to wit on this 16th day of January 1895 comes Edgar W. Jones Clerk of the Supreme Court of Oklahoma by and in the presence of Hon C. R. Brooks U.S. Attorney presents in open Court an account of the fees and emoluments earned as such clerk from July 1st 1894 to December 31st 1894 and it having proven to the satisfaction of the Court that the services therein rendered were actually and necessarily rendered according to law and the same appearing in all things reasonable and just: It is therefore considered ordered and adjudged that the said accounts amounting to the sum of one hundred fifty six and 15/100 dollars be and the same are hereby approved

In Re:
Henry M. Shoemaker
Upon Application for
Bail

And now on this 16th day of January 1895 the above cause having been reached upon the regular call of the docket the same was at this time argued and submitted.

The Court at this time grants Petitioner Attorney leave to prepare and file written argument

No 162 The City of Guthrie
vs
Nix Halsell and Co

And now to wit on this 16th day of January 1895 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted

No 231 The City of Guthrie
vs
Cynthia E. Swan

And now to-wit on this 16th day of January 1895 the Counsel for defendant in Error above at this time come on and ask leave of the Court to argue the above cause orally. The Court takes said matter under advisement.

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until January 17th at 10 O'Clock a.m.

Attest.
Edgar W. Jones
Clk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the seventeenth day of January in the Year of Our Lord One thousand Eight hundred and ninety five, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the Judicial days of the January term of said Court

There were present Hon Frank Dale Chief Justice Hons John H Burford Henry W Scott A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks US Attorney Hon E D Nix US Marshal Edgar W Jones Clerk and W H Taylor Court Crier. Proclamation of the opening of Court having been made by the crier the following business was had and done.

In Re:
J L Brown Mandamus
and proceedings of disbarment

And now on this 16th of January 1895 the above causes were taken up and commented upon orally by Hon Frank Dale Chief Justice and Hon Jno H Burford in favor of the above petitioner in so far as the disbarment procedure is concerned, and by Hons A G C Bierer and John L McAtee as against petitioner in disbarment procedure. Said oral comments may be found on page Book of opinions.

No 195 John Dossett
vs
United States

And now on this 17th day of January 1895 the above cause having been reached upon the regular call of the Docket, the same was at this time continued by the Court until the June term 1895 the Court allows the U.S. Attorney ninety days in which to prepare and file briefs in the said cause.

Wm N. Dunn
No 190 vs
Saml Drummond

And now to wit on this 17th day of January 1895 the above cause having come on for decision upon a motion to set aside order to revive cause. Said motion is sustained and the order to revive said cause made by this Court on January 11th is hereby vacated and set aside.

In Re:
Arthur Braithwaite
vs
E. D. Cameron Auditor

And now to wit on this 17th day of January 1895 the above cause having come on for final judgment and decision It is hereby considered ordered and adjudged that the said writ of Mandamus be and the same is hereby granted. Costs in said action to be paid by the above defendant.

Justice McAtee rendered the opinion in the above cause. Chief Justice Dale and Associate Justice Scott concurring. Associate Justices Burford and Bierer dissenting.

In Re:
Admission of
S. P. King to practice in Supreme Court

And now on this 17th day of January 1895 comes Sterling P. King of the Payne County bar and having satisfied the Court of his ability integrity &c. The prescribed oath was administered by Justice Bierer and he was declared admitted to the Supreme Court of Oklahoma Ty. as a practitioner.

In Re: Approving U.S. Commissioners Accts.

And now comes Hon. Roy V Hoffman Assistant U.S. Attorney and presents in open Court the account of the fees and Emoluments earned by T.J. Leahy U.S. Commissioner in and for the Fourth Judicial District residing at Pawhuska earned by the said Commissioner from the first day of October 1894 to the 31st day of December 1894. and having proven to the satisfaction of the Court that the services therein rendered were actually and necessarily rendered according to law and the same appearing in all things reasonable and just. It is therefore Considered ordered and adjudged that the said accounts amounting to the sum of two hundred twenty three and 30/100 dollars be and the same is hereby approved.

In Re
Approving the Accounts.
of D.S. Dill U.S. Commissioner

And now comes Hon C.R. Brooks U.S. Attorney and presents in open Court the account of fees and emoluments earned by D.S. Dill U.S. Commissioner in and for the Fifth Judicial District earned by said Commissioner from July 1st 1894 to December 31st 1894 and having proven to the satisfaction of the Court that the services therein rendered were actually and necessarily rendered according to law and the same appearing in all things reasonable and just. It is therefore Considered, ordered and adjudged that the said accounts amounting to the sum of Twenty Eight and 60/100 Dollars be and the same are hereby approved

In Re:
Approving accounts of
C L Harlan U.S. Commissioner

And now on this 17th day of January 1895 comes Hon C R Brooks U.S. Attorney in and for the Territory of Oklahoma and presents in open Court the account of the fees and emoluments earned by C L Harlan U.S. Commissioner in and for the Fifth Judicial District and residing at Enid earned by the said U.S. Commissioner from July 1st 1894 to September 30th 1894 and having proven to the satisfaction of the Court that the services therein rendered were actually and necessarily rendered according to law, and the same appearing in all things to be reasonable and just. It is therefore considered ordered and adjudged that the said accounts amounting to the sum of Ten and 30/100 Dollars be and the same are hereby approved.

In Re:
Approving accounts of
C L Harlan U.S. Commissioner.

And now on this 17th day of January 1895 comes Hon C R Brooks U.S. Attorney in and for Okla. Ty and presents in open Court an account of the fees and emoluments earned by C L Harlan U.S Commissioner in and for the Fifth Judicial District and residing at Enid earned by the said U.S Commissioner from the first day of October 1894 to the 31st day of December 1894 and having proven to the satisfaction of the Court that the services therein rendered were actually and necessarily rendered according to law and the same appearing in all things to be reasonable and just It is therefore considered ordered and adjudged that the said accounts amounting to the sum of One hundred Ninety two and 74/100 Dollars be and the same are hereby approved.

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until 2 O'Clock PM January 23rd 1895

Attest.
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty third day of January in the year of our Lord One thousand Eight hundred and ninety five, The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the January term of said Court. There were present Hon Frank Dale Chief Justice Hon's John H Burford Henry W Scott A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks U.S. Attorney Hon E D Nix Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Proclamation of the opening of Court having been made, the following business was had and done.

Rebecca A. Smith Et al.
No 212 vs
J H Baker etc Et al

And now to wit on this 23rd day of January 1895 counsel for defendants in Error in the above Cause ask leave of the Court to file briefs. Consent is given and briefs are accordingly filed.

In Re:
Setting dates for
Court terms in the
Fifth Judicial District

And now to wit on this 23rd day of January 1895 at a regular session of the Supreme Court of Oklahoma Ty. It is by the Court ordered that the next regular terms of Court in the Fifth Judicial District of Okly. shall be held as follows.

It is ordered that the terms at Kingfisher in Kingfisher County shall be held beginning on the third Monday in February and the fourth Monday of October of each year.

It is ordered that the terms of Court at Enid in Garfield County shall be held, on the first Monday in April and the first Tuesday of October of each year.

It is further ordered that the terms of Court shall be held in Grant County at Pond Creek beginning on the first Wednesday in May and the fourth Tuesday in September of each year.

It is further ordered that the terms of Court shall be held in Wood County at Alva beginning on the Second Thursday in May and the Third Tuesday in September of each year.

It is further ordered that the terms of Court shall be held in Woodward County at Woodward beginning on the Second Tuesday in May and the Second Tuesday in September of each year.

It is further ordered that the orders heretofore so far as they may Conflict with the above orders are hereby vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed by this Court shall stand for trial and determination at the next terms provided for by this order. And all orders writs and summons of every character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the next term in the several Counties as provided for in this order. And all persons under bond or recognizance to appear at any term of Court heretofore fixed shall be required to appear on the first day of the next term of Court as fixed in this order in the County in which each was required to appear by such bond or recognizance.

It is further ordered that a Certified Copy of this order be sent to the Clerks of the Court of each County affected by this order.

And thereupon by order of the Court Proclamation having been made the Court was adjourned until 10 o'clock am January 24th 1895

Attest
Glyn W. James
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty fourth day of January in the year of Our Lord One thousand Eight hundred and ninety five, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment; the above date being one of the judicial days of the January term of said Court.
There were present Hon Frank Dale Chief Justice Hons. Jno H Burford Henry W Scott A G C Bierer and Jno. L McAtee Associate Justices Hon C R Brooks U.S. Attorney Hon E D Nix Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier, the following business was had and done.

In Re:
Approving the Accounts
of H M Bickel U.S. Commissioner
of the 5th Judicial District.

And now to wit on this 24th day of January 1895 Comes Hon C R Brooks U.S. Attorney in and for Oklahoma Territory and presents in open Court an account of the fees and emoluments earned by H M Bickel U.S. Commissioner in and for the fifth Judicial District of Oklahoma by and Residing at Alva, earned by the said U.S. Commissioner from the first day of October 1894 to the 31st day of December 1894 and having proven to the satisfaction of the Court that the services therein charged for are reasonable and just and have been actually and necessarily rendered according to law. It is therefore considered ordered and adjudged that the said accounts be and the same are hereby approved in the sum of three hundred fifty five and 05/ Dollars.

And thereupon Proclamation having been made the Court was adjourned until January 25th 95 at 2 oclock P.M.

Attest Edgar W Jones Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty fifth day of January in the year of Our Lord One thousand Eight hundred and ninety five. the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, the above date being one of the regular judicial days of the January term of said Court. There being no quorum present. It was ordered by Hon Frank Dale Chief Justice, that the said Court be and stand adjourned until 2 o'clock PM January 26th 95 and it was so proclaimed by the Crier.

Attest
Edgar W Jones
Clerk

United States of America
Territory of Oklahoma.

Be it Remembered that on this the twenty sixth day of January in the year of Our Lord One thousand Eight hundred and Ninety-five. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the January term of said Court.

There being no quorum present. It was ordered by Hon Frank Dale Chief Justice that the said Court be and stand adjourned until 2 O'Clock P.M. on February 11th 1895. and it was so proclaimed.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the eleventh day of February in the year of our Lord one thousand eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the January term of said court.

There being no quorum present it was ordered by the Hon Frank Dale Chief Justice that the said court be and stand adjourned until 2 o'clock P.M. ~~January~~ February 12th 1895 and it was so proclaimed.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twelfth day of February in the year of Our Lord One thousand eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the January term of said Court.

There being no quorum present It was ordered by the Hon. Frank Dale Chief Justice that the Court be and stand adjourned until 10 o'clock am February 15th 1895 and it was so proclaimed.

Attest
Edgar W Jones
Clerk

United States of America
Territory of Oklahoma

Be it remembered that on this the fifteenth day of February in the year of Our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the judicial days of the January 1895 term of said Court.

There being no quorum present It was ordered by the Hon. Frank Dale Chief Justice that the Court be and stand adjourned until ~~January~~ February 16th 1895 at 10 O'clock a.m. And it was so proclaimed.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the Sixteenth day of February in the year of Our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. the above date being one of the regular judicial days of the January term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H Burford Henry W Scott A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks U.S. Attorney Hon E D Nix Marshal and Edgar W Jones Clerk and W A Layton Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

No 189 Barton Bros
vs
J M Spencer Et al

In the above entitled cause the court grants the defendants in error ten days time in which to file brief.

No 172 Elmer H. Littlefield
vs
Bruce Todd } From Dist. Court K. Co

And now to wit on this 16th day of February 1895 the above cause having come on for final decision. It is by the Court considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed.
Opinion by Dale C.J.
All the Justices concurring except Justice Bierer not sitting having presided as Judge in Court below.

No Emma King vs Thompson } From District Court in Oklahoma County

And now to wit on this 16th day of February 1895 the above Cause having come on for final determination and judgment. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is hereby affirmed in all things at costs of appellant.
Opinion by Justice Burford
All concurring.

No 192 Jessie W Chisholm vs Theodore H. Weisse } Appeal from District Court of Pottawatomie Co.

And now to-wit on this 16th day of February 1895 the above cause having come on for final judgment and determination It is by the Court held ordered and adjudged that the judgment of the lower Court be and the same is hereby in all things affirmed at cost of appellant.
Opinion by Justice Burford
All concurring

No 641 Carrie R. Irving et al vs Peter Keys } From the District Court of Logan County

And now to wit on this 16th day of February 1895 the above cause having come on for final judgment and consideration It is by the Court held ordered and adjudged that the judgment of the lower Court be and the same is hereby vacated and set aside and said cause is hereby remanded at costs of appellee.
Opinion by Burford
All concurring

No 226 W. C. Mears vs Frank J. Nikoff } From the District Court of Payne County

And now to-wit on this 16th day of February 1895 the above cause having come on for final judgment and determination. It is considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed at the cost of above appellant
Opinion by Justice Burford
All concurring.

No 165 Minnie Saddler and Lawrence vs Alice Kilgore } From the District Court of Logan County

And now to-wit on this 16th day of February 1895 the above cause having come on for final consideration and judgment.
It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is hereby affirmed at cost of appellant.
Opinion by Burford J.
All concurring

No 238 J. L. Matthews vs Francis M. Young } From the District Court of Logan Co.

And now to-wit on this 16th day of February 1895 the above cause having came on for final judgment and determination
It is held ordered and adjudged that the judgment of the lower Court is hereby vacated and set aside and above cause remanded at costs of appellee.
Opinion by Burford
All concurring.

No 228 Dick Abel vs N. J. Blair

And now to-wit on this 16th day of February 1895 the above cause having come on for decision upon

a motion to reinstate cause.
Said motion is by the Court denied.
All the Justices concurring.

No 191 Earnest Sharpe Treasurer &c. } From Dist Court of
US. } Canadian County
M M Engle Et al.

And now to wit on this 16th day of February 1895 the above cause having come on for final judgment and the Court being fully advised in the premises. It is considered ordered and adjudged that the judgment of the lower Court be vacated and set aside and the said cause be and the same is hereby reversed and remanded at cost of Appellees.
Opinion by Bierer Justice
All concurring except Justice Burford not sitting having presided in case below

In Re:
Henry M. Shoemaker
Upon application for bail

And now to wit on this 16th day of February 1895 the above cause having come on for final consideration and judgment. It is considered ordered and adjudged that the application of above Petitioner be and the same is in all things denied
Opinion by Justice Bierer
All concurring except Justice McAtee not sitting having presided as judge in cause below

In Re:
J T Brown
Upon application for Mandamus;

And now to wit on this 16th day of February 1895 the above cause having come on for final consideration and judgment and the Court being fully advised in the premises. It is considered ordered and adjudged that the said application for writ of Mandamus be and the same

is hereby in all things denied at the
Cost of Petitioner.
Opinion by Justice Bierer
All Concurring Except Justice Scott not sitting

In Re:
J L Brown; Disbarment procedure
And now to wit on this 16th day of February 1895 the above cause having come on for final consideration and judgment and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be vacated and set aside and that this cause be and is hereby reversed and remanded at the cost of Wallace —
Opinion by Justice Bierer
All concurring except Justice Scott who presided in Court

A C Schnell
No vs
Frances M Jay —
And now on this 16th day of February 1895 the above cause having come on for decision upon a motion to reinstate said cause. It is held ordered and adjudged that the motion be sustained and said cause be and the same is hereby reinstated.

The City of Oklahoma
vs
J. M. Richardson Lumber Co
And now to wit on this 16th day of February 1895 the above cause having come on for final determination and judgment and the Court being fully advised in the premises.
It is held ordered and adjudged that the judgment of the lower Court be and the same is hereby vacated and set aside. And the said cause reversed and remanded at costs of above defendant in Error.
Opinion by Justice McAtee
All concurring except Justice Scott not sitting having presided in Court below.

No

W. C. Earl
vs
National Bank of Guthrie } From District Court of Logan County

And now to-wit on this 16th day of February 1895 the above cause having come on for final consideration and judgment and the Court being fully advised in the premises It is held ordered and adjudged that the judgment of the lower Courts be and the same is in all things affirmed at cost of above defendant in Error.
Opinion by Justice McAtee
All concurring.

No

A. C. Snell
vs
Francis M. Jay

And now to-wit on this 16th day of February 1895 the Court directs that 30 ds. be allowed the appellants in which to prepare and file briefs and that 60 ds. be and are hereby allowed the appellees for the same purpose.

No

W. J. Blair
vs
Dick Abel

And now on this 16th day of February 1895 comes counsel for appellant and asks leave of the Court to file written request in reinstation of cause. Court after consideration directs counsel to prepare and file resolution with the Clerk.

In Re: Allowing Costs & pay Stenographers for Supreme Court

And now to-wit on this 16th day of February 1895 the Court announces the following order relative to Stenographers.

It is ordered that Stenographers preparing opinions for any of the Justices of the Supreme Court shall be allowed fifteen cents per one hundred words for such work. The costs to be taxed by the Clerk of the Supreme Court to the cases having opinions so prepared and written. This rule to be in force and effect until legislation by the Territorial Legislature affecting the same has been enacted.

In Re:
Vacating order for
May term of Court
in El Reno Canadian County:

And now to-wit on this 16th day of February 1895 the following order was made by the Court.

It is by the Court ordered that the order heretofore made fixing the time for a term of Court at El Reno in Canadian County to commence on the second Tuesday in May 1895 be and the same is hereby vacated and set aside. The Clerk of this Court is directed to send certified copy of this order to the Clerk of the District Court of Canadian County O.T.

In Re:
Setting terms of Court
for Woodward in Woodward Co.

And now to-wit on this 16th of February 1895 it is by the Court ordered that the next regular term of Court to be held at Woodward in Woodward County shall be held on the 3rd Monday in May 1895. and that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that the Clerk of this Court be required to send certified copy of said order to the Clerk of the District Court of Woodward County.

In Re:
Setting terms of Court
for Beaver in Beaver Co.

And now to-wit on this 16th day of February 1895 It is by the Court ordered that the terms of Court shall be held in Beaver County at Beaver City as follows.

Beginning

On the third Tuesday in May and the Second Wednesday of October in each year.

In Re:
Setting the dates for
holding terms of Court
in the third Judicial District. Oklahoma County

And now to wit on this 16th day of February 95 the above date being one of the regular judicial days of the January term of said Court and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the terms of District Court shall hereafter be held in Oklahoma County Oklahoma Territory as follows. beginning on the first Tuesday in March and the first Tuesday in September of each year.

It is further ordered that all orders heretofore made by this Court in conflict with the above are hereby vacated and set aside.

It is further ordered that a copy of this order be sent by the Clerk of the Supreme Court to the Clerk of the District Court of Oklahoma County.

Cleveland County

And now to wit on this 16th day of February 1895 the above date being one of the regular judicial days of the January term of said Court, and the Court being advised in the premises. It is therefore held ordered and adjudged that the terms of the District Court in Cleveland County, Oklahoma Ty. shall be held hereafter as follows. beginning on the third Tuesday in April and the third Tuesday in October of each year.

It is further ordered that all orders heretofore made by this Court in conflict with the above are hereby vacated and set aside.

It is further ordered that a certified copy of this order be sent to the Clerk of the District Court of Cleveland County by the Clerk of the Supreme Court of this Territory

Pottawattamie County And now to wit on this 16th day of February 1895 the said date being one of the regular judicial days of the January term of said Court. and the Court being fully advised in the premises. It is held ordered and adjudged that the terms of District Court in Pottawattamie County Okla Ty. be held as hereafter as follows - beginning on the Second Tuesday in May and the third Tuesday in November of each year.

It is further Ordered that all causes at issue and standing for trial at the terms heretofore fixed for the Third Judicial District of Oklahoma Ty. shall stand for trial and determination at the next terms provided for in this order, and all orders, writs and Summons of every character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the next term in the several Counties as provided for in this order and all persons under bond or recognizance to appear at any term of Court heretofore fixed shall be required to appear on the first day of the next term of Court as fixed in this order in the County in which each was required to appear by such bond or recognizance,

It is further ordered that a certified Copy of this order be sent to each of the Clerks of the District Courts in the Counties in the 3rd Judicial District

It is further ordered that all orders made in conflict with the above are hereby vacated and set aside,

In Re:
Relative to Writs Summons
Bonds of Recognizance &c in
Woodward and Beaver Counties.

It is by the Court ordered that all causes at issue and standing for trial at the terms of Court heretofore fixed for Woodward and Beaver Counties shall stand for trial and determination at the next term provided for in this order of Feby 16th 95. and all orders writs and Sum of every character returnable to the terms of Court as heretofore fixed shall be returnable and stand for determination at the next term in the several Counties as provided in this order, and all persons under bond or recognizance to appear at any term of Court heretofore fixed shall be required to appear on the first day of the next term of Court as fixed in this order in the County in which each was required to appear by such bond or recognizance.

In Re:
Attaching Kickapoo Indian Reservation
to different Oklahoma Counties
for Judicial purposes

And now to wit on this 16th day of February AD 1895 the above date being one of the regular judicial days of the January term of said Court. And the Court being in all things advised in the premises.

It is considered ordered and adjudged that So much as the Territory known as the Kickapoo Indian Reservation that lies in Oklahoma County shall be and the same is hereby attached for Judicial purposes to Oklahoma County Okla. Ty.

And it is further ordered that So much of the Territory known as the Kickapoo Indian Reservation that lies in Lincoln ~~Oklahoma~~ County shall be and the same is hereby attached to Lincoln County O.T. for Judicial purposes.

And it is further ordered that So much of the Territory known as the Kickapoo Indian Reservation that lies in Pottawattamie County shall be and the same is hereby attached to Pottawattamie County O.T. for Judicial purposes. And it is further ordered that all orders heretofore made that are in any wise conflicting with the above orders or in any wise inconsistent with the same are herewith by the Court set aside and vacated.

And it is further ordered that the Clerk of this Court forward Certified Copies of this Order to the Clerks or Deputy District Clerks of the Counties so affected by this order.

In Re:
Setting dates for holding
terms of the Supreme
Court and of restricting
terms of the District Courts

And now to wit on this 16th day of February 1895 the above date being one of the regular judicial days of the January term of said Court, and the Court being fully advised in the premises. It is therefore Considered ordered and adjudged that the next regular session of the Supreme Court of the Territory of Oklahoma shall commence on the First Monday in June 1895. and it is further ordered that hereafter the regular Sessions of the Supreme Court of the Territory of Oklahoma shall commence on the First Monday in January and the First Monday in June of each year.

And it is further ordered that during the Sessions of the Supreme Court no District Courts shall be held in said Territory except where a cause is on trial the same may be concluded in the District Court wherein such cause may be pending at the beginning of the regular terms of the Supreme Court.

And it is further ordered that all causes heretofore made returnable upon the first day of the Session of the Supreme Court as heretofore fixed shall be made returnable at the first day of the terms of the Supreme Court as fixed in this order. The Clerk of this Court is directed to furnish the various Counties affected by this order a certified copy of the same, through the Clerks of the District

Courts of said Counties

In Re:

Assigning Judges to try
Causes in Other Districts
than their own.

And now to wit on this 16th day of January February 95 said date being one of the regular Judicial days of the January term 1895 of the Supreme Court of Oklahoma Ty, and the Court being fully advised in the premises. It appearing to the satisfaction of the Court that John H. Burford presiding Judge of the Second Judicial District has been by the Hon. Chief Justice of the Supreme Court designated to try certain causes now pending in the District Court of Logan County, in which the Chief Justice is disqualified or in which changes of venue have been granted from the Judge of said Court;

And it further appearing that the Judge of the said Second Judicial District will be absent from his District on and after the fourth day of March 1895 and that for such reason he will be unable to hold the District Court of Canadian County and of the Second Judicial District during his said absence;

It is therefore ordered that the Hon. Frank Dale Chief Justice of the Supreme Court and presiding Judge of the First Judicial District be, and he is, hereby designated and directed and assigned to hold the District Court of Canadian County, and of the Second Judicial District during the absence of the regular Judge from the said District in March 1895.

And it is further ordered that during the absence of the Judge of the First Judicial District during the time that he shall be holding court in the Second Judicial District in March 1895 that John H. Burford Associate Justice of the Supreme Court and presiding Judge of the Second Judicial District is hereby designated assigned and directed to hold the District Court of Logan County and of the first

Judicial District during the absence of the regular Judge therefrom.

It is further ordered that if the regular presiding Judge of either district shall return to his District while the Judge hereby assigned is trying a cause which has not been finally disposed of that the Judge trying said Cause shall proceed with the business of said Court until the cause on trial shall be finally disposed of

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until the 3rd day of June 1898.

Attest
Wym W. Jones
Clerk

In the Supreme Court
Territory of Oklahoma

And now to wit on this 12th day of April 1895 upon good cause being shown, I Frank Dale Chief Justice of the Supreme Court do hereby call and summon the Supreme Court of the Territory of Oklahoma in special Session at 9 o'clock a.m. April 15th AD 1895. Witness my hand at Guthrie Oklahoma this 12th day of April AD 1895

Frank Dale
Chief Justice

United States of America
Territory of Oklahoma

Be it Remembered that on this the fifteenth day of April in the year of our Lord One thousand Eight hundred and Ninety five. the Supreme Court met in special Session pursuant to call of the Chief Justice. There were present Hon Frank Dale Chief Justice Hons H W Scott A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks US attorney E D Nix Marshal and Edgar W. Jones Clerk and W. A. Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

Order

Now to-wit April 15th 1895 the Supreme Court of the Territory of Oklahoma being regularly in Session by virtue of an order issued by Frank Dale Chief Justice dated April 12th 1895 It is by the Supreme Court ordered that the County of Kingfisher heretofore a County of the Fifth Judicial District be and the same is hereby detached from the said fifth Judicial District and the same is hereby attached to the Second Judicial District and made a part thereof until the first of June 1895 when said Kingfisher County shall revert to and again be made and become a part of the Fifth Judicial District. And John H. Burford Associate Justice of the Supreme Court is hereby designated as Judge of Said Second Judicial District.

It is further ordered that a term of Court be held in said County of Kingfisher Commencing at 9 o'clock A.M. on Tuesday the 16th day of April 1895. And it is further ordered that the next regular term of the District Court for Grant County O.T. shall be held beginning upon the 26th day of April 1895. and that all orders heretofore made in conflict with the terms of this order are hereby annulled revoked and vacated.

And thereupon by Order of Court Proclamation having been made by the Crier the Court was adjourned Sine di.

Attest
Edgar W. Jones
Clerk Sup Court.

Know all men by these Presents:
That we Evett Dumas Nix of Guthrie Logan County Oklahoma Territory as principal, and Oscar D. Halsell [illegible] [illegible] and [illegible] as sureties all residents of the City of Guthrie Logan County Oklahoma Territory as sureties, are held and firmly bound unto the United States of America in the full sum [illegible] of Forty Thousand dollars in lawful money of the United States to be paid to the United States for which payment well and truly to be made we bind ourselves jointly and severally, and each of us, our several heirs, executors and administrators firmly by these presents. Sealed with our seals and dated with our hands this 2d day of October in the year one Thousand Eight Hundred and Ninety Three.

The condition of the foregoing obligation is such that whereas the President of the United States hath appointed the said Evett Dumas Nix to be Marshal of the United States in the Territory of Oklahoma to have and to hold the above, with all the rights powers and emoluments thereunto lawfully appertaining for the term of four years from the 22nd day of [illegible] 1893 unless sooner removed [illegible] from the [illegible] commission to have [illegible] until the [illegible] of August 1893 [illegible] [illegible].

Now if the said Evett Dumas Nix by himself and by his deputies shall faithfully perform all the duties of the said office of Marshal then his obligation to be void otherwise to remain in full force and virtue.

Signed, sealed and delivered
in the presence of Henry H. Scott

[illegible] B. [illegible] — Evett D. Nix
[illegible] E. Nix — Oscar D. Halsell
[illegible] M. [illegible] — [illegible]
[illegible] H. Scott — [illegible]
C. [illegible] — [illegible] N. [illegible]
[illegible] H. [illegible]
[illegible]

Territory of Oklahoma, } ss
County of Logan }

I Oscar D. Halsell one of the sureties on the annexed bond being duly sworn [illegible] and say that I am worth the sum of [illegible] over and above all my just debts and liabilities, and exclusive of property exempt from execution by the laws of the Territory in which I reside.

[illegible]

Subscribed and sworn to before me this 2d day of October A.D. [illegible]

[illegible]

Chief Justice.

Territory of Oklahoma

County of Logan } ss.

I, William [illegible] one of the sureties on the annexed bond, being duly sworn depose and say that I am worth the sum of [illegible] Thousand dollars over and above all my just debts and liabilities, and exclusive of property exempt from execution by the laws of the Territory in which I reside.

William [illegible]

Subscribed and sworn to before me this 2d day of October A.D. [illegible]

Frank Dale

Chief Justice.

Territory of Oklahoma

County of Logan } ss.

I, Fred L. [illegible] one of the sureties on the annexed bond, being duly sworn depose and say that I am worth the sum of [illegible] over and above all my just debts and liabilities, and exclusive of property which is exempt from execution by the laws of the Territory in which I reside.

Fred L. [illegible]

Subscribed and sworn to before me this 2d day of October A.D. [illegible]

Frank Dale

Chief Justice.

Territory of Oklahoma

County of Logan } ss.

I, [illegible] one of the sureties on the annexed bond, being duly sworn depose and say that I am worth the sum of [illegible] over and above all my just debts and liabilities, and exclusive of property exempt from execution by the laws of the Territory in which I reside.

[illegible]

[illegible] and affixed [illegible] this [illegible] day of [illegible] A.D. [illegible].

Frank Dale
Chief Justice.

I, [illegible] Clerk of the Supreme Court of the Territory of [illegible] do hereby certify that Frank Dale whose name is subscribed to the [illegible] was at the time of so doing duly authorized to administer the same and that said [illegible] is the true [illegible] and [illegible].

In testimony whereof I have hereunto set my hand and affixed the seal of the Supreme Court this [illegible] day of [illegible] A.D. [illegible].

[illegible]
Clerk Supreme Court

United States of America
Territory of [illegible]. ss

I hereby certify that Frank Dale [illegible] in the [illegible] [illegible] William [illegible] [illegible]. [illegible] [illegible] came before me and in the presence [illegible] [illegible] the [illegible] of

Henry W. Scott	[illegible]
[illegible]	[illegible]
[illegible] & Co.	[illegible]
	[illegible]

[illegible] of Justice who were [illegible] in the Territory of [illegible] and [illegible] that the [illegible] and [illegible] the [illegible] Territory and that the [illegible] and [illegible] of said Territory and as Chief Justice of said Territory [illegible] [illegible] [illegible] [illegible].

Given under my hand and the seal of the Supreme Court [illegible] day and year first above written.

Frank Dale
Chief Justice.

United States of America
Territory of Oklahoma ss.

I, Evett Dumas Nix, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto.

And I further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Evett D. Nix.

Subscribed and sworn to before me this [illegible] day of October A.D. 1893.

Frank Dale.
Chief Justice.

United States of America
Territory of Oklahoma. S.S

I, Evett Dumas Nix, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Territory of Oklahoma, under the authority of the United States and true returns make, and in all things well and truly and without malice or partiality perform the duties of the office of Marshal of the Territory of Oklahoma during my continuance in said office and take only my lawful fees. So help me God.

Evett D. Nix.

Subscribed and sworn to before me this [illegible] day of October A.D. 1893.

Frank Dale.
Chief Justice.

Attest as above this 16th of July 1895
Seal
Edgar W. Jones Clerk

In the Supreme Court of the Territory of Oklahoma.

In the matter of the assignment of a judge
to try certain causes now pending in the
District Court in and for Noble County,
Oklahoma Territory.

Whereas it has been made to appear to me that by reason of press of business and for other good cause shown, Hon. Henry W. Scott judge of the Third Judicial District in and for the Territory of Oklahoma heretofore assigned to try, hear and determine causes pending in the District Court in and for Noble County Oklahoma Territory, is unable to try said causes and which said causes are numbered as follows, to wit:-

No. 14 - Territory of Oklahoma vs. J. H. [illegible]
" 5 - H. B. Snyder vs. A. S. Akers, et al.
" 26 - Kate C. Cherry " Etta Beard et al.
" 100 - B. Cherry vs. J. E. White, et al.
" 107 - Kate C. Cherry vs. J. C. Beard, et al.
" 264 - Thomas T. Patton vs. A. D. Thomas, et al.
" 226 - Warren B. Snyder vs. Allen F. Akers

And whereas, it further appearing that said causes are still undetermined and that a judge to try the same should be assigned.

Now, therefore by virtue of the authority in me vested, as Chief Justice of the Supreme Court of the Territory of Oklahoma it is hereby ordered that Frank Dale, Judge of the District Court of the First Judicial District in and for the Territory of Oklahoma, be and he is hereby designated and assigned as judge to try the said above named causes now pending in the above named District Court.

In witness whereof I have hereunto set my hand this the 17th day of December, 1894.

Seal

Frank Dale.
Chief Justice of the Territory of Oklahoma.

Attest.
Edgar W. Jones.
Clerk of the Supreme Court.

In the Supreme Court of Oklahoma Territory
In the matter of the assignment of a Judge
to try certain causes now pending in the
District Court of Noble County, Territory
of Oklahoma;

Whereas, it appearing to me, upon good cause shown that A. G. C. Bierer, Judge of the District Court in and for Noble County, Oklahoma Territory is unable by reason of press of business to hear certain causes now pending in the District Court of said county, which said causes are numbered and entitled as follows, to-wit:-

22 Ennis vs Atchison, Topeka & Santa Fe Railroad Co.
47- Hunt vs.
97- Neal vs. Pierce.
[illegible]- Cherry vs. [illegible]
[illegible]- McCormack vs. [illegible]
[illegible]- Cherry vs Beard.
[illegible]- Graham vs. Kelly & Acers.
163- Walker vs. Mouder
173 [illegible] vs. Banks.
[illegible]- [illegible] vs. [illegible] Town Co.
202- [illegible] Lumber Co. vs. [illegible] et al.
203- [illegible] vs. Dollarhide
204 [illegible] vs Thomas
205- [illegible]
[illegible]- [illegible] vs. [illegible]
[illegible]- [illegible] vs Hunnicutt.
[illegible]- [illegible] vs. [illegible]
287- Ryan vs Curry, et al.
297- Doyle & Smith vs. Clark, et al.
299- [illegible] vs. Stanton.
303. [illegible] vs. Collins.
310- [illegible] & Co. vs. Primrose
315- [illegible] vs. [illegible]
317- [illegible] vs. [illegible]
319- [illegible] & [illegible] Co. vs Everett
320- Hopkins vs. [illegible]
325- Richardson vs Scruggs.
326- Snyder vs. Acers
330- Moffat vs Moffat
332- Mayer Spencer, et al vs. The Nat'l Bank of Guthrie
333- [illegible] vs [illegible]
338- Fuller Lumber Co. vs. [illegible]
[illegible] [illegible] vs Barger.
350- [illegible] vs. [illegible] Epstein & Co.
351- Henderson vs. Epstein.
352= King vs. Lynch et al.

301 [illegible] vs Moore
303- [illegible] vs. Turner.
304- [illegible] vs Turner.
360- C. T. [illegible] vs. Brady [illegible]
308 Dispensary vs. [illegible]
372- Leatherman vs. [illegible]
373- Coyle & Smith vs. Arnold & Brown.
370- [illegible] vs. [illegible]
Territory vs. [illegible]

Now Therefore, I Frank Dale, Chief Justice of the Territory of Oklahoma, do hereby assign Frank Dale Judge of the First Judicial District in and for the Territory of Oklahoma to hear, try and determine the said causes or so many thereof as he may find time so to try and determine.

In testimony whereof I have hereunto set my hand and the seal of said court this the 17th day of December, A.D. 1894

(Seal)

Frank Dale.
Chief Justice of the Territory of Oklahoma.

Attest:
Edgar W. Jones
Clerk of the Supreme Court.

In the Supreme Court of the Territory of Oklahoma

In the matter of the assignment of a Judge to hold a term of court at Perry in the County of Noble and Territory of Oklahoma.

Whereas it having been made to appear to me that Hon. A. G. C. Bierer Judge of the Fourth Judicial District of said Territory, is unable by reason of absence from said district to hold a term of court in the county of Noble and Territory of Oklahoma, beginning on the 6th day of May A.D. 1895 and it further appearing that a term of court is necessary to be held in said county and district beginning on the 6th day of May A.D. 1895

Now Therefore, I Frank Dale, Chief Justice of the Supreme Court of the Territory of Oklahoma by virtue of the power in me vested do hereby appoint and assign Hon. Henry W. Scott, Judge of the Third Judicial District of the Territory of Oklahoma to be and appear at Perry in the county of Noble and Territory of Oklahoma, at nine o'clock A.M. on the 6th day of May A.D. 1895, then to hold a term of court during the absence from said district of the regular presiding judge.

In Testimony Whereof I have hereunto set my hand this the [illegible] day of May A.D. 1895

Frank Dale
Chief Justice.

In the Supreme Court of Oklahoma Territory

In the matter of the assignment of a judge to hold a term of court in the County of Oklahoma in said Territory

Whereas it having been made to appear to me that Hon. Henry W. Scott Judge of the Third Judicial District in and for the Territory of Oklahoma is unable by reason of absence from the district to hold a term of court in the County of Oklahoma in said Third Judicial District and it appearing to me that a term of court should be held in said county, beginning on the [illegible] day of May A. D. 18[illegible]

Now Therefore I Frank Dale Chief Justice of the Supreme Court of the Territory of Oklahoma, by virtue of the power in me vested do hereby assign and appoint Hon. A. G. C. Bierer Judge of the Fourth Judicial District in and for the Territory of Oklahoma, to be and appear at the District court room in the county of Oklahoma on the [illegible] day of May A. D. 18[illegible] at nine o'clock A. M. of said day there to hold a term of court and continue said term during the absence of the regular presiding judge Hon Henry W. Scott from said district.

In Testimony Whereof, I have hereunto set my hand this the [illegible] day of May A. D. 18[illegible]

(Seal) Frank Dale
Chief Justice.

Attest. Edgar W Jones
Clerk of the Supreme Court.

In the Supreme Court of the Territory of Oklahoma
In the matter of the assignment of a judge
to try certain causes pending in the
District Court of Logan County, Oklahoma
Territory.

Whereas, it is made to appear to me the undersigned Frank Dale Chief Justice of the Territory of Oklahoma that Frank Dale Judge of the District Court in and for Logan County, Oklahoma Territory, is disqualified to hear, try and determine the following entitled causes now pending in the District Court of Logan County, Oklahoma Territory to wit:-

6[illegible]- Robert McKenzie vs. A. G. Wagner & Ellen Skaggs.
870- Mary Miller vs George Emmons.
917- H. [illegible] vs. The City of Guthrie.
981- S. W. [illegible] etal vs. E. T. Talbot & 3 others.
1013- U. S. National Bank of New York vs. Citizens Bank of Guthrie
1230- Minnie A. Cole vs. Horace Cole.
1404- [illegible] Lumber Co. vs. A. M. McElfresh etal.
1472- Dora E. Hill vs. John T. Hill

1030- John C. Henderson vs George N. Taylor.
1008- D. B. Sutey vs Perkins Langevin Buck.
1740 Frank Kile vs. J. W. Garland et al.
731- Territory vs George Kerr.
103- U. S. vs. Eben Preston.
166- U. S. vs. Benjamin F. Ellis
167- U. S. vs. Jesse Preston.
168- U. S. vs. Harry Preston.
395- U. S. vs D. A. Mitchell.
396- U. S. vs. D. A. Mitchell.
495- U. S. vs. J. J. Quinn.
1707- Mildred J. Flannery vs. Margaret J. Flannery.

Now therefore, it is by me ordered that John H. Burford, Judge of the District Court of the Second Judicial District of Oklahoma Territory, be and he is hereby assigned to hear, try and determine all of the foregoing numbered and entitled causes.

In testimony whereof, I have hereunto set my hand this 26 day of December, A. D. 1894.

(Seal)

Frank Dale,
Chief Justice.

Attest:- Edgar W. Jones.
Clerk Supreme Court.

In the Supreme Court of the Territory of Oklahoma.

In the matter of the assignment of causes pending in the District Court of Logan County, Territory of Oklahoma.

Whereas, it has been made to appear to me that the judge of the district court of Logan County in said Territory, is unable by reason of press of business to hear cause No. 1711, entitled Camilla E. Thayer vs. Rene N. Thayer; and,

Whereas, it is further made to appear to me, that in the cause No. 1030, wherein John C. Henderson, is plaintiff and George N. Taylor, is defendant, that the judge of the District Court of Logan County, is disqualified from hearing said cause by reason of having been of counsel in said cause.

Now Therefore, by virtue of the authority in me vested I, Frank Dale, Chief Justice of the Territory of Oklahoma hereby assign John H. Burford, Judge of the Second Judicial District of the Territory of Oklahoma as Judge to hear, try and determine said causes.

In testimony whereof, I have hereunto set my hand and the seal of said court this the 17th day of December, 1894.

(Seal)

Frank Dale.
Chief Justice.

Attest:-
Edgar W. Jones
Clerk of the Supreme Court.

In the Supreme Court of the Territory of Oklahoma
In the matter of the assignment of a Judge
to hold a term of the District Court at
Oklahoma City, in the county of Oklahoma,
and Territory of Oklahoma.

Whereas, it has been made to appear to me by reason of press of business and for other good cause shown, Hon. Henry W. Scott, Judge of the Third Judicial District in and for the Territory of Oklahoma, is unable to try, hear and determine certain causes pending in the District Court of Oklahoma County, O.T.; and it further appearing that a term of court is necessary to be held in said county and district, beginning on the 29th day of May, A.D., 1890.

Now Therefore, I, Frank Dale, Chief Justice of the Supreme Court of the Territory of Oklahoma, by virtue of the power in me vested, do hereby appoint and assign Frank Dale, Judge of the District Court of the First Judicial District in and for the Territory of Oklahoma, to be and appear at Oklahoma City in the County of Oklahoma at 2:30 o'clock P.M. May 29-1890, then and there to try and determine such causes as may regularly come before him as such presiding Judge.

In Testimony Whereof, I have hereunto set my hand and caused the seal of said court to be attached to this order on this 29th day of May. A.D. 1890.

(Seal)

Frank Dale.
Chief Justice of the Supreme Court
of Oklahoma Territory.

Attest:
Edgar W. Jones.
Clerk Supreme Court.

Declaration of Intention.

I Frank C. Foster do declare on oath that it is bona fide my intention to become a Citizen of the United States, and renounce and abjure forever all allegiance and fidelity to all and any foreign Prince, Potentate or State or Sovereignty whatever, and particularly to Victoria, Queen of Great Britain, of whom I was a subject.

Frank C. Foster.

Subscribed and sworn to before me at my office in Guthrie this 6th day of June, A.D. 1890.

Clerk of the Supreme Court.

I, Edgar H Jones Clerk of the Supreme Court of the Territory of Oklahoma do certify that the above is a true copy of the original Declaration of Intention of Frank C. Foster to become a citizen of the United States as the same appears of record in my office.

In Witness Whereof I have hereunto subscribed my name and affixed the Seal of said Court at my office in the City of Guthrie this 6th day of June A.D. 1890.

Clerk.

Declaration of Intention

I, Ezra Foster, do declare on oath that it is bona fide my intention to become a citizen of the United States and renounce and abjure forever all allegiance and fidelity to all and any foreign Prince, Potentate or State or Sovereignty whatever and particularly to Victoria Queen of Great Britain of whom I was a subject.

Ezra Foster.

Subscribed and sworn to before me at my office in Guthrie this 6th day of June A.D. 1895

Clerk of the Supreme Court.

I, Edgar W. Jones, Clerk of the Supreme Court of the Territory of Oklahoma do certify that the above is a true copy of the original Declaration of Intention of Ezra Foster to become a citizen of the United States as the same appears of record in my office.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of said Court at my office in the City of Guthrie in said County this 6th day of June A.D. 1895

Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the ~~[illegible]~~ third day of June in the year of Our Lord One-thousand Eight Hundred and Ninety-five, the above date being one of the regular Judicial days of the June term, The Supreme Court of the Territory of Oklahoma met in regular Session in the City of Guthrie.

There were present: Hon Frank Dale Chief Justice, Hons Jno H. Burford Henry W. Scott and A.G.C. Bierer Associate Justices
Hon C R Brooks Atty, Hon E D Nix US Marshal
~~[illegible]~~ Clerk and W.A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier: The following business was had and done.

In Re:

No. 331 Woodruff vs Wallace } from the District Court of Oklahoma County

And now to wit on this 3rd day of June 1895 Comes Grant Stanley of Counsel for above Plff in Error and asks leave of the Court to file petition in Error record and application for supersedeas in above entitled cause. The Court after consideration directs that the papers in above cause be filed with the Clerk of the Court.

No 791 J. J. Cummings vs P H McDermid

And now comes Greathouse of Counsel for above Deft. in Error and asks leave for time in which to prepare and file briefs in above cause — The Court after due consideration allows Counsel until June 8th for such purpose.

No 711 John H. Pitzer Probate Judge
vs
Territory of Oklahoma ex
relation of Jennings Wallings

And now comes J R Cottingham of Counsel for above Plaintiff in Error and asks time in which to prepare and file brief. The Court after due consideration allows appellant eight days time for such purpose and allows above Appellee ten days time after service of Appellants brief in which ~~to~~ file answer briefs.

No 516 S E Pitts Clerk of the District
Court of Logan County
vs
The Board of County Commissioners
of Logan County O.T.

And now to wit on this 3rd day of June 1895 the above cause coming on for decision of Motion of Appellant for additional time in which to prepare and file briefs: The Court after due consideration directs that Appellants brief be prepared and filed on or before June 15th 95.

No 300 Territory of Oklahoma
vs
S E Pitts

And now to wit on this 3rd day of June 1895 comes counsel for above appellee and asks leave to file demurrer in behalf of Appellee in above cause. The Court after consideration directs that said demurrer be filed with the Clerk of this Court.

At the same time and place counsel for Appellee asks time in which to prepare and file briefs, and the Court after due consideration grants until June 15 95 for such purpose.

Samuel D. Decker
No 272 vs
A T and S F RR

And now to wit on this 3rd day of June 1895 comes counsel for appellee in above cause and asks leave for additional time in which to prepare and file briefs. The Court being fully advised in the premises two days from this date in which to prepare and file such briefs

L. B. Lilley
No 280 vs
Russell and Co.

And now on this 3rd day of June 1895 comes counsel for above appellees and asks leave of the Court to file a motion to dismiss in above cause.
The Court grants permission and said motion is accordingly filed with the Clerk of this Court.

The United States of America
On Relation of Wm D. Leach Et al
No 321 vs
The Choctaw Oklahoma and Gulf
R R Co. and Geo. S. Good and Co.

And now to-wit on this 3rd day of June A D 1895 comes Horace Speed of counsel for above appellants and asks leave of the Court to file motion to have above appellees cited to appear for contempt. The Court after consideration directs that the said motion be filed with the clerk of this Court which is accordingly done.

Keokuk Falls Improvement Co.
Perry Rodkey Et al
No 282 vs
~~Perry~~ Kingsland and Douglas
Mnfct. Co Et al

And now on this 3rd

day of June 1895 comes counsel for appellants in above cause and asks for additional time in which to prepare and file briefs. The Court being fully advised in the premises grants until June 10 95 for such purpose.

O. T. Garrett
No 385 vs
John A Mitchell
And now on this 3rd of June comes counsel for above appellee and asks for additional time in which to prepare and file briefs. The Court after consideration grants until June 10 95 for such purpose.

The Bank of Perry
793 vs
Edward H. Cook et al
And now comes counsel for above appellees and ask additional time in which to prepare and file briefs. The Court after consideration grants until June 15 95 for such purpose.

J. Silverstein & Co
764 vs
The National Bank of Guthrie
And now on this 3rd day of June 1895 comes counsel for above appellants and asks leave of the Court in which to file briefs in the above cause. The Court after consideration and being fully advised in the premises grants permission and the said briefs are accordingly filed with the clerk of this Court. And at the same time and place comes counsel for Defendant in Error and asks time in which to prepare and file briefs. The Court after Consideration

grants until June 17th for such purpose.

Zachariah Mulhall
270 vs
Joseph L Mulhall

And now comes counsel for above appellee and asks leave at this time to file briefs in behalf of above appellee. The Court after consideration grants the request and briefs are accordingly filed with the Clerk of this Court.

Territory of Oklahoma
315 vs
Wm Strond

And now comes counsel for above appellee and asks leave of the Court for additional time in which to prepare and file briefs in above cause. The Court after consideration grants ten days time for such purpose.

City of Oklahoma
322 vs
Emily A. Myers

And now on this 3rd day of June 1895 comes counsel for above appellee and asks time in which to prepare and file briefs in above cause. The Court after consideration grants until June 20th for such purpose.

At the same time and place the Court grants the above appellant 3. ds. time in which to prepare and file briefs, and the above cause is by the Court continued for this term.

The City of Guthrie Ex Rel
The Territory of Oklahoma
268 vs
L. E. Pitts Clerk Dist. Court
of Logan County. And now on this

3rd day of June 1895 the above cause is reached upon the call of the Docket and the same is passed without action.

Frank Hindman
236 vs
County of Logan
And now on this 3rd of June 1895 comes counsel in above cause for appellant and moves the Court to dismiss the above cause.
The Court after consideration sustains said motion and the said cause is dismissed.

John W. Hixon Et al
776 vs
Thomas J. Cupp Et al
And now on this 3rd day of June AD 1895 the above cause having been called up. The same is hereby continued for the term. All parties consenting.

A. C. Schnell
223 vs
Francis M. Jay
And now on this 3rd day of June 1895 comes counsel for appellant in above cause and asks leave to file brief in behalf of appellant.
The Court after consideration grants request and briefs are accordingly filed at the same time and place. The defendant in error in above cause is allowed ten days in which to file reply briefs.

John Dorrett
195 vs
United States
And now to-wit on this 3rd day of June 1895 the above cause having been reached upon the regular call of the Docket the same was at this time

argued and submitted.
C R Brooks U.S. Attorney appearing in behalf of the United States and Geo. Gardner Esqr appearing in behalf of Plaintiff in Error.

Phillips
vs
United States

And now comes counsel for above Plaintiff in Error and suggests to the Court the death of above Pltff in Error and the Cause is therefore stricken from the Docket upon motion of said Counsel for Plaintiff in Error.

Henry M Shoemaker
299 vs
Territory of Oklahoma

And now on this 3rd day of June 1895 the above cause having been reached upon the regular call of the Docket. The same is at this time submitted upon the record and briefs all parties in interest being present by Counsel.

Charles J Blanchard
259 vs
United States

And now on this 3rd day of June 1895 the above causes having been reached upon the regular call of the Docket. And it appearing to the Court that the record and case made in said cause has not been filed in the Office of the Clerk of this Court. The said Cause is therefore stricken from the Docket

Carl J. Blanchard
747 vs
United States

And now on this 3rd day of June 1895 the above cause having come on for determination upon application for Habeas Corpus and the Court being fully advised in the premises It is therefore held ordered and adjudged that the said petition be and the same is hereby denied.

John Meyers
748 vs
United States

And now on this 3rd day of June 1895 the above cause having come on for decision upon an application for a writ of Habeas Corpus and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said petition be and the same is hereby denied

In Re:
Admission to Supreme Court
of J. D. Du Bois of Guthrie

And now on this 3rd day of June 1895 comes John D. Du Bois presenting himself to the Court for admission and the Court being satisfied as to his qualifications the necessary oath is thereupon administered by Justice Bierer and he is duly declared admitted to practice in the Superior and the inferior Courts of Oklahoma

And thereupon by order of the Court Proclamation having been made by the Crier Court was adjourned until June 4th 1895 at 10 O'clock a.m.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the fourth day of June in the year of Our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in regular session in the City of Guthrie. The above date being one of the regular Judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice Hons John H Burford Henry W. Scott and A. G. C. Bierer associate Justices. Hon C R Brooks U.S. atty Hon E. D. Nix U.S. Marshal Edgar W. Jones Clerk and W A Taylor Court Crier.

Public proclamation of the opening of Court having been made by the Crier the following among other business was had and done.

195 John Dossett
vs
United States

And now on this 4th day of June 1895 the counsel for above Pltf in Error asks leave of the Court to amend briefs filed in above cause in behalf of Pltf in Error. The Court after due consideration gives consent.

955 Territory of Oklahoma
vs
Fred H. Wright and Jerry O'Rourke

And now to wit on this 4th day of June 1895 the above cause having been reached upon the regular call of the Docket and all parties of interest being represented by Counsel. the said cause was at this time submitted upon the record and briefs. Above appellees being allowed 10 ds. time in which to prepare and file briefs

736 Territory of Oklahoma
vs
~~Fred H. Wright~~ John DeSaun and C. W. Beacom

The above cause having come on for hearing and determination upon the regular call of the Docket, and all parties being present by Counsel. The cause was at this time submitted upon the record and briefs. Above appellees being given 10 days time in which to prepare and file briefs.

754 Wm. E. Wamsley
vs
Territory of Oklahoma

And now on this 4th day of June 1895 the above cause having been reached upon the regular call of the Docket. The cause was at this time submitted upon the record and briefs. The Territory being allowed ten days time in which to prepare and file briefs.

744 Henry Nichols
vs
Territory of Oklahoma

And now on this 4th day of June 1895 the above cause having come on for hearing upon the regular call of the Docket. The cause was at this time argued and submitted. The Territory being given ten days in which to file briefs.

753 Frank Brink
vs
Territory of Oklahoma

And now to-wit on this 4th day of June 1895 the above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is held ordered and adjudged that the said motion be and the same is hereby overruled.

At the same time and place the above cause is submitted on the record and briefs. The territory being allowed ten days in which to prepare and file briefs.

And thereupon by order of Court Proclamation ~~of the Opening~~ having been made by the Crier. The Court was adjourned until June 5th at 10 o'clock am

Attest
[illegible]
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the fifth day of June in the Year of our Lord One thousand eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the June term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H Burford Henry W Scott and A G C Bierer Associate Justices, Hon C R Brooks U.S. Atty Hon E D Nix U S Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Public proclamation of the opening of Court having been made the following business was had and done.

In Re:
Clay Peters
-vs
United States. Upon application for bail and Supersedeas.

And now on this 5th day of June 95 the above cause having come on for determination It is by the Court held ordered and adjudged that the petition be and the same is hereby in all things denied at cost of petitioner

W H Burns
vs
954 Territory of Oklahoma

And now on this 5th day of June 1895 the above cause having come on for decision upon a motion to dismiss. It is by the Court held ordered and adjudged that said motion be and the same is hereby ~~dismissed~~ overruled and said cause is hereby continued for the term.

In Re.
Wm. Taylor
upon application for
Writ of Habeas Corpus

And now on this 5th day of June 1895 the above cause having come on for decision and the Court being fully advised in the premises It is therefore held ordered and adjudged that the petition be and the same is hereby in all things denied.

237 Shiffbauer Et al
vs
Waldron Et al

And now on this 5th day of June 1895 the above causes having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is hereby sustained at cost of above plaintiffs in Error.

280 L. B. Tilly and Co
vs
Russell and Co

And now on this 5th day of June 1895 the above causes having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore held ordered and adjudged that said motion be and the same is overruled.

258 C. P. Jewell
vs
Territory of Oklahoma

And now on this 5th day of June 1895 the above cause having been reached upon the regular call of the Docket. The territory upon application of the Attorney General is given 30 ds. in which to prepare and file briefs. and said cause is continued for the term.

Territory of Oklahoma
315. vs.
Wm Stroud
And now on this 5th day of June 1895 the above cause having been reached upon the regular call of the Docket, the same was at this time argued and submitted.

A. C. Schnell
223 vs
Francis M. Jay
And now on this 5th day of June 1895 the above cause having been reached upon the regular call of the Docket the same was at this time argued and submitted.

City of Oklahoma
303 vs
Hill Brothers
And now on this 5th day of June 1895 the counsel for Defendants in Error asks leave to file motion to dismiss in above entitled cause. Leave is granted and the motion so filed.

James Blevins
271 vs
Mortledge and Allen
And now on this 5th day of June 1895 comes counsel for defendant in Error, and asks leave of the Court for time in which to prepare and file briefs.
The Court after consideration grants appellees until June 12th for

such suspense

278 George Higginbotham
vs
Samuel Cartwright

And now on this 5th day of June 1895 comes Amos Green counsel for above appellant and asks that above cause be submitted upon the record and briefs. The request is granted and cause taken.

279 Jesse H. Ulrich
vs
James W. Hadley

Upon motion of counsel Amos Green for appellant the above cause is at this time taken on the record and briefs.

280 Coleman R. Bruce Ex et al
vs
James M. DeBolt

Upon motion of above appellants counsel Amos Green the above cause is at this time submitted on the record and briefs

27[illegible] James Blevins
vs
Marledge and Allen

And now on this 5th day of June 1895 come counsel for appellee and ask leave of the Court to grant time for oral argument on the above cause. The Court after consideration grants leave that oral argument be had.

In Re:

Thos R Reid of El Reno
Admitted to practice in Supreme Court

And now on this 5th day of June 1895 comes Thos R Reid of the El Reno bar and presents himself to the Court for admission. The Court after satisfying itself as to Mr Reid's qualifications administers the prescribed oath was administered by Justice Bierer and Mr Reid was duly declared admitted to practice in the Superior and the Inferior Courts of Oklahoma Territory.

In Re:

Naturalization of
Peter Berghlund

And now on this 5th day of June 1895 comes Peter Berghlund a native of Sweden and upon proving by two competent witnesses to the satisfaction of the Court his qualification the prescribed oath was administered in open Court by the Clerk thereof and said Peter Berghlund was duly declared admitted to full citizenship of the United States.

And thereupon by order of Court Proclamation having been made by the Crier The Court was adjourned until June 6th 95 at 10 o'clock a.m.

Attest
Edgar W Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the sixth day of June in the year of our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the regular judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice Hons. Jno. H. Burford Henry W. Scott A. G. C. Bierer and Jno. C. McAtee Associate Justices Hon. C. R. Brooks U.S. Attorney Hon. E. D. Nix U.S. Marshal [illegible] Clerk and W. A. Taylor Court Crier Public Proclamation of the opening of Court having been made by the Crier. The following business was had and done.

In Re:
Naturalization of
Fred C. and Ezra Foster

And now on this 6th day of June 1895 come Fred C. and Ezra Foster natives of Canada and after proving to the satisfaction of the Court by competent witnesses their qualifications. They were duly declared admitted to full citizenship of the United States. The statutory oath having been administered in open Court by the clerk thereof.

Henry Nichols
vs
Territory of Oklahoma

And now on this 6th day of June 1895 comes Geo. Gardner Counsel for appellant in above cause and asks leave of the Court to file additional affidavits in said cause. After consideration leave is granted and papers are accordingly filed.

276 John Wilcoxon Et al
vs
Thomas J Clapp

And now on this 6th day of June 1895 comes counsel for above appellants and ask leave to file motion requiring Clerk of the District Court to withdraw execution in the above cause.

The Court after consideration gives consent and the motion is accordingly filed

The United States et al
325 vs
Choctaw and Gulf RR

And now on this 6th day of June 1895 comes counsel for above appellants and calls up cause on a motion for supersedeas. The cause is at this time passed without decision upon the said motion.

Territory of Oklahoma
255 vs
Fred H Wright and Jerry O'Rourke

And now to wit on this 6th day of June 1895 comes Counsel for above appellees and asks leave of the Court for an extension of time in which to prepare and file briefs in said cause.

The Court after consideration and being fully advised in the premises grants 20 ds. from this for purpose desired.

Territory of Oklahoma
256 vs
John Lo Sane and C C W Beeman

The same time is extended in the above cause for the preparation and filing of brief. as in cause No 255.

The City of Oklahoma
vs
302 Emily J. Myers

And now to wit on this 6th day of June 1895 comes Counsel for Pltff in Error and asks leave of the Court for time in which to prepare and file briefs.
The Court after consideration grants 30 days time for such purpose. And the above cause is continued for the term.

The City of Oklahoma
303 vs
Hill Bros

And now on this 6th day of June 1895 comes counsel for above appellant and asks leave of the Court for additional time in which to prepare and file briefs.
The Court after consideration allows thirty days time for such purpose allowing thirty days time additional for appellees in which to prepare and file answer briefs. And at same time and place the above cause is continued for the term

The City of Guthrie
705 vs
T. J. Lowe Et al

And now on this 6th day of June 1895 the above cause having been reached upon the regular call of the Docket. The same was at this time argued and submitted.

The City of Guthrie
741 vs
H. C. Beamer

And now on this 6th day of June 1895 the above cause having been reached upon the regular call of the Docket. The same was at this time argued and submitted

And thereupon by order of Court Public Proclamation having been made by the Crier the Court was adjourned until June 7th '95 at 10 O'Clock a.m

Attest
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the seventh day of June in the year of Our Lord One thousand Eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice Hons John H Burford Henry W. Scott A G C Bierer and Jno. L. McAtee Associate Justices Hon C R Brooks US Atty Hon E D Nix US Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Public proclamation of the opening of court having been made the following business was had and done!

John W. Hixon Et al
vs
276 Thomas J. Cupp

And now on this 7th day of June 1895 the above cause was called up by counsel for above appellants upon motion for Supersedeas. The said cause is by the Court passed without action at this time

Territory of Oklahoma
vs
310 L. E. Pitts - Clerk

The above cause is at this time reassigned for argument on June 13th 95

L. E. Pitts Clerk &c
vs
Board of Land Commissioners

The above cause

is at this time reassigned for argument on June 13th 95

766 T. J. Lowe
vs
Lind H. Blume

And now on this 7th day of June 1895 the above cause having been reached upon the regular call of the Docket. the same was at this time argued and submitted.

And thereupon by order of Court Public Proclamation having been made the Court was adjourned until 10 o'clock am June 8th 1895.

Attest
Edgar W. Jame
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the eighth day of June in the year of our Lord One thousand Eight hundred and ninety five. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular Judicial days of the June term of said Court.

There were present Hon Frank Dale chief justice Hon John H. Burford H.W. Scott, A.G.C. Bierer and Jno. L. McAtee Associate Justices Hon C.R. Brooks U.S. Atty Hon E.D. Nix U.S. Marshal Edgar W. Jones Clerk and W.A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier. the following business was had and done.

In Re:
Woodruff
vs
Wallace

Upon application for Supersedeas.

And now on this 8th day of June 1895 the above cause having come on for decision upon an application for Supersedeas The Court after consideration and being fully advised in the premises grants the said application. Oral opinion. Written opinion to be prepared and filed later
Justice Bierer dissenting.

269 W.A. Mulhall
vs M.
Mulhall

The above cause having been reached upon the regular call of the docket. the same is at this time Continued until June 10 '95

270 Jack Mulhall
vs
Joseph L Mulhall

The above cause having been reached upon the regular call of the docket. the same is at this time continued until June 10 95

271 E G Millikan
vs
Wm R Booth

The above cause having been reached upon the regular call of the Docket. The same is at this time continued for the term.

272 S D Decker
vs
A T and S F RR Co.

And now on this 8th day of June 1895 the above cause having been reached upon the regular call of the Docket. the same was at this time argued and submitted.

And thereupon by order of the Court Public Proclamation having been made. The Court was adjourned until 10 oclock am June 10 95.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the tenth day of June in the year of our Lord one thousand Eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the regular judicial days of the June term of said Court. There were present Hon. Frank Dale Chief Justice Hons John H. Burford H W Scott A G C Bierer and Jno. L. McAtee Associate Justices. Hon. C R Brooks U S Atty Hon E D Nix U S Marshal Edgar W. Jones Clerk and N A Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, the following business was had and done.

203 W A Sturgeon
vs
S M Smith

And now on this 10th day of June 1895 the above cause having come on for decision upon a motion to dismiss. It is by the Court held ordered and adjudged that the said motion be and the same is hereby sustained. The said cause dismissed and the judgment of the lower Court affirmed. all at costs of above appellant.

3rd United States
vs
Choctaw and Gulf RR

And now on this 10th day of June 1895 comes J W McLoud and John T. Dille Counsel for the above appellees and appear specially for the purpose of filing motion to quash the summons issued in above cause motion is accordingly filed with the Clerk of this Court.

229 Frank J. Conkling Receiver vs
vs
Cameron & Co Et al

And now on this 10th day of June 1895 came counsel for above appellees for the purpose of filing motion to dismiss. Motion is accordingly filed with the clerk.

190 Wm N Dunn
vs
Daniel Drummond

The above cause is at this time continued until June 15/95

273 J.J. Cummings
vs
P.H. McDermid.

The above cause having been reached upon the regular call of the docket, the same was at this time submitted upon the record and briefs.

275 The Johnson Larimer Dry Goods Co.
vs
D.P. Cornell

And now on this 10th day of June 1895 the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and briefs.

276 John W. Hixon et al
vs
Thos J. Cupp

The above cause is at this time continued for the term.

Almah J. Baldwin

277 vs

John Mason

The above cause having been reached upon the regular call of the docket, was at this time submitted on the record and briefs.

James Blevins

276 vs

Morledge Middleton.

And now on this 10th day of June the above cause having been reached upon the regular call of the docket the same was at this time submitted upon the record and briefs.

And thereupon by order of Court Public Proclamation having been made. the Court was adjourned until 10 o'clock am June 11th 1895

Attest.

Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the eleventh day of June in the year of our Lord one thousand Eight hundred and Ninety five the above date being one of the regular judicial days of the June term of the Supreme Court, the said Supreme Court met in the City of Guthrie pursuant to adjournment. There were present Hon. Frank Dale Chief Justice Hon John H. Burford A.G.C. Bierer and Jno L McAtee Associate Justices Hon. C R Brooks US attorney Hon E D Nix US Marshal Edgar W. Jones Clerk and N A Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier The following business was had and done.

r/o James D Hurst
vs
H N Sawyer

And now on this 11th day of June 1895 the above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises It is therefore held ordered and adjudged that the said motion be and the same is hereby overruled and Pltf in error is hereby granted leave to correct certificate of Clerk of the Dist. Court and same is at this time taken upon the record,

In Re:
Cal Orner
vs
Evan D Cameron Auditor

And now on this 11th day of June 1895 the above cause having come on for hearing upon an application for a writ of mandamus, It is by the Court held ordered and adjudged that insufficient grounds being set out in the petition to authorize writ to issue The application is therefore denied.

The Will J. Little Co. Et al
298 vs
Pincham Hanna Munger Et al
And now on this 11th day of June 1895 the above cause having come on for hearing The said cause was at this time argued and submitted ten days time being given appellees in which to prepare and file briefs

The Diebold Safe and Lock Co
227 vs
M.W.J. Holt
And now on this 11th day of June 1895 the above cause having come on for hearing the same was at this time argued and submitted

S.B. Tilley
280 vs
Russell and Co.
And now on this 11th day of June 1895 the above cause having come on for hearing The said cause was at this time submitted upon the briefs and record

Jacob Gardenhire
230 vs
J. M. Burdick
And now on this 11th day of June 1895 comes Counsel for above Appellant and asks leave of the Court to file a motion

opinion in the above cause
Consent of the Court is given and
the motion is so filed

Brenner and Stannard
313 vs
T. L. Black

And now on this 11th day of June 1895 the above cause having been reached upon the regular call of the docket. the same was at this time argued and submitted.

S. B. Lilly & Co
1280 vs
Russell and Co

And now on this 11th of June 1895 comes Counsel for appellees and asks leave of the Court to file type written briefs in the above cause. Consent of the Court is given

And thereupon by order of the Court Public Proclamation having been made by the Crier. The Court was adjourned until June 12th 1895 at 10 o'clock am

Attest.
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twelfth day of June in the year of our Lord One thousand eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular Judicial days of the June term of the said Court. There were present Hon. Frank Dale Chief Justice Hons Jno. H Burford H W Scott A G C Bierer and Jno. L McAtee Associate Justices. Hon. C R Brooks U.S. Atty Hon. E D Nix U S Marshal Edgar W Jones Clerk and W A Taylor Court Crier.

Public Proclamation of the Opening of Court having been made by the Crier. The following business was had and done.

And now on this 12th day of June 1895 comes Selwyn Douglas Esqr. and moves the admission of H B Mitchell. The prescribed Oath having been administered Mr Mitchell was duly declared admitted to practice in the Superior and inferior Courts of Oklahoma Ty.

A T and S F R R Co
301 vs
Hester Ellen Chamberlain

And now comes Counsel for appellants in the above entitled cause and ask leave for time in which to prepare and file briefs. The Court after consideration grants the appellants 60 ds in which to file said briefs and the Cause is at this time continued for the term.

N R Snyder
281 vs
The Pabst Brewing Co
And now on this 12th day of June 1895 the above cause having come on for hearing. The said cause was at that time submitted on the record.

Keokuk Falls Improvement Co Et al.
282 vs
Kingsland Douglas Mnfct Co. Et al
And now on this 12th day of June 1895 the above cause having come on for hearing. The said cause was at this time submitted upon the records and briefs. Pltffs in Error being given until June 20'95 in which to prepare and file briefs. Appellees being given 10 ds in which to prepare and file answer briefs.

Pardee Bros.
295 vs
L F Worrell
And now on this 12th day of June 1895 the above cause having come on for hearing the Said cause was at this time taken on the record.

City of Oklahoma
246 vs
John T Walsh
And now to wit on this 12th day of June 1895 the above cause having been reached upon the regular call of the docket and the Court being fully advised in the premises. The said cause was at this time submitted upon the record and briefs.

Adelia Day
314 vs
Mary A Mooney

And now on this 12th day of June 1895 the above cause having come on for hearing the said cause was at this time taken upon the record and briefs.

O T Burrett
285 vs
Jessie A Mitchell

And now on this 12th day of June 1895 the above cause having been reached upon the regular call of the docket. The said cause was at this time argued and submitted R G Hays appearing for the appellant and Selwyn Douglas appearing for the appellee.

Burnham Hanna Munger & Co Et al
294 vs
The Consolidated Steel and Wire Co Et al

And now on this 12th day of June 1895 the above cause having come on for final argument and consideration and the Court being fully advised in the premises. The said cause was at this time argued and submitted. J C Strang appearing and arguing orally in behalf of above appellants.

And thereupon by order of Court Public Proclamation having been made by the Crier The Court was adjourned until 10 O'clock Am June 13th 1895.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the thirteenth day of June in the year of our Lord One Thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the June term of the said Court. There were present Hon. Frank Dale Chief Justice Hons John H Burford AGC Bierer and Jno. L McAtee Associate Justices Hon. C R Brooks Atty Hon. E D Nix Marshal Edgar W. Jones Clerk and W.A. Taylor Court Crier

Public proclamation of the opening of Court having been made by the Crier. The following business was had and done.

1172 Jesse Chisholm
vs
Theodore H. Neuse

The above cause having come on for decision upon a motion for rehearing and the Court being fully advised in the premises It is therefore held ordered and adjudged that the said motion be and the same is hereby denied in all things.

389 W J Crump –
v
I R Jackson Et al

And now on this 13th day of June 1895 the above cause having come on for decision upon a motion to dismiss and the court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is hereby sustained.

170 Jack Mitchell
vs
Sam McVey

And now on this 13th day of June 1895 the above cause having come on for decision upon a motion for new trial and rehearing and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is hereby in all things denied.

City of Oklahoma
303 vs
Hill Brothers

And now on this 13th day of June 1895 the above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is in all things denied and said cause is by the Court continued for the term.

Clay Peters
vs
United States

And now on this 13th day of June 1895 the above cause having come on for decision upon a motion for new and rehearing and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the said motion be and the same is hereby in all particulars denied.

Albert E. Light
187 vs
Canadian Co. Bank

And now on this

13th day of June 1895 the above cause having come on for decision upon a motion for rehearing and demurrer and the Court being fully advised in the premises It is therefore held ordered and adjudged that the said motion be and the same is hereby in all particulars denied.

United States Ex Rel. Wm D. Search Et al
371 vs
The Choctaw Oklahoma and Gulf RR

And now to-wit on this 13th day of June 1895 the above cause having come on for decision upon a motion to quash the summons in said above cause and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is hereby sustained. Chief Justice Dale dissenting. Counsel for the United States excepts to the ruling of the Court, and by Counsel Horace Speed ask that Alias writ be directed to issue. which last request is by the Court granted. And Counsel for the United States further asks that above Defendants in Error be cited for Contempt. which last motion is by the Court overruled. Exception to the ruling being taken by said Counsel for the United States.

Territory
379. vs
P H Brady

And now on this 13th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises. The said cause was at this time argued and submitted. J. L. Brown appearing and arguing orally in behalf of the Territory.

J.L. Brown
312 vs
Reno Lumber Co

The above cause having been reached upon the regular call of the Docket. The same was at this time argued and submitted. J.L. Brown arguing orally in behalf of appellant and Selwyn Douglas for appellee.

Territory — Original procedure in mandamus
300 vs
L.E. Pitts

And now on this 13th day of June 1895 the above cause having been reached upon the regular call of the Docket and the Court being fully advised in the premises. The said cause was at this time argued and submitted.
A.H. Huston appearing for the Territory.
J.W. Shartel appearing for Respondent.

Lewis E. Pitts
316 vs
County Commissioners Logan Co

And now on this 13th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises. The said cause was at this time argued and submitted.
J.W. Shartell appearing for appellant
A.H. Huston appearing for appellee.

John Nelson
286 vs
John Fightmaster

And now on this 13th day of June 1895 the above cause having come on for hearing and the court being fully advised in the premises. The said cause was at this time taken on the record and briefs.

In Re:
Application of Daily Leader
for Writ of Mandamus

And now to-wit on this 13th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises It is therefore held ordered and adjudged that a writ of mandamus issue returnable on or before June 18th 95.

312 J L Brown
vs
Reno Lumber Co

And now on this 13th day of June comes R R Connell a Counsel for above Defendant in Error and asks leave of the Court to prepare and file briefs in the above cause. The Court after consideration and being fully advised in the premises grants Counsel ten days for such purpose.

United States Ex Rel Search Et al
324 vs
Choctaw Oklahoma and Gulf RR

And now to-wit on this 13th day of June 1895 comes Counsel for United States and asks leave of the Court to file motion in above cause. Said motion containing an application to orally argue upon the proposition to amend the writ in the above entitled cause.

The Court after consideration directs that said motion be filed with the Clerk which is accordingly done.

Kemper Hundley and McDonald Dry Goods Co
292 vs
J. Fischel

And now on this 13th day of June the above cause having come on for hearing and the Court being fully advised in the premises. The said cause is at this time taken upon the record and briefs.

297 D. L. Williams Assignee
vs
Kemper Hindley and McDonald
Dry Goods Company

And now to wit on this 13th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises the said cause was at this time argued and submitted.

And thereupon by order of the Court Public Proclamation having been made by the Crier Court was adjourned until June 14th 95 at 10 O Clock am.

Attest
Edwyn W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the fourteenth day of June in the year of our L. D. One thousand eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular judicial days of the June term of said Court, There were present Hon. Frank Dale Chief Justice Hon. John H. Burford, Henry W. Scott A G C Bierer and Jno L. McAtee Associate Justices Hon. C R Brooks US Attorney Hon. E. D. Nix US Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, The following business was had and done.

Chas A. Morris
376 vs
E. P. Curry

And now to wit on this 14th day of June 1895 the above cause having come on for decision upon a motion to quash the summons issued in the above cause. The Court being fully advised in the premises sustains the said motion and directs that alias notice issue.

N. Bevans & Co
304 vs
Foster Knight & Co.

And now on this 14th day of June 1895 the above cause having been reached upon the regular call of the Docket. And the Court being fully advised in the premises The said cause is thereupon taken upon the record and briefs,

Barton Bros
vs
189 S.W. Spencer Et Al

And now on this 14th day of June 895 the above cause having been reached upon the regular call of the docket and the court being fully advised in the premises. The said cause is taken upon the records and briefs.

J.J. Cummings
vs
273 P.H. McDermid

And now on this 14th day of June the appellees in above cause are given until June 24th to prepare and file briefs.

Territory
vs
300 S.E. Pitts

The appellee is given until June 24 to prepare and file briefs in above cause.

S.E. Pitts
vs
316 Board of Co. Commissioners

The appellant in above cause is given until June 24th to prepare and file briefs.

And thereupon by order of Court Public Proclamation having been made by the crier. The Court was adjourned until June 15th /95 at 10 o'clock a.m.

Attest.
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the Fifteenth day of June in the year of our Lord One thousand Eight hundred and ninety five The Supreme Court of the Territory met in the City of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the June term of said Court. There were present Hon Frank Dale Chief Justice Hons John H. Burford Henry W Scott A G C Bierer and Jno. L. McAtee Associate Justices Hon C R Brooks Dis. Attorney Hon E D Nix Marshal [illegible] Clerk and W. A. Taylor Court Crier

Public proclamation of the opening of Court having been made by the Crier. The following business business was had and done

The Legal Welsh and Clawson
Live Stock Commission Co.
306 vs
J. J. Johnson Et al

And now to-wit on this 15th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises. The said cause is at this time submitted upon the records and briefs in the case,

Ernest Sharpe Freeman
307 vs
James A. Maney Et al

and now on this 15th day of June 1895 the above cause having been reached upon the regular call of the docket and the Court being fully advised in the premises. The said above cause is at this time taken on the record and briefs

Ernest Sharpe Treasurer
308 vs
Neils C. Iperson Et al.
And now on this 15th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises the said above cause is at this time taken on the briefs and records.

Ernest Sharpe Treasurer
309 vs
Marion M. Kerfoot Et al.
And now on this 15th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises the said above cause is at this time taken on the briefs and records.

Ernest Sharpe
310 vs
The El Reno Water Co
And now on this 15th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises the said above cause is at this time taken on the briefs and records.

The American Fire Insurance Co
of Philadelphia
290 vs
Richard Pappe
And now on this fifteenth day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises the said cause is at this time taken on the records and briefs.

The City of Kingfisher
291 vs
Wilson J. Pratt And now on this 15th day of June 1895 the above

cause having come on for hearing and the Court being fully advised in the premises. The said cause was at this time taken on the record and briefs.

Wm N Dunn
190 vs
Samuel Drummond

And now on this 15th day of June 1895 the above cause having been reached upon the regular call of the docket. the same was at this time argued and submitted.

Isaac G. Conkling Receiver &c.
229 vs
Wm Cameron & Co Etal

And now on this 15th day of June 1895 the above cause having come on for hearing. The said cause was at this time submitted on the record.

Guthrie Daily Leader
332 vs
Evan D. Cameron Auditor &c

And now on this 15th day of June 1895 the above cause having been called up on motion of J W Shartel who asks leave of the Court to file brief as to the Jurisdiction of the Court in above cause. The Court directs that motion be filed with Clerk which is accordingly done by above mentioned counsel.

Harper J. Cunningham Admr &c
296 vs
Thos G Phillips

And now on this 15th day of June 1895 the above cause having come on for hearing and the Court being fully advised in the premises. The said cause is at this time taken on the record and above appellant is given ten days time in which to

prepare and file brief.
Appellee is given 10 ds. additional time in which to prepare and file brief

C.C. Blake
155 vs
Amos A. Ewing

And now comes C. A. Galbraith Attorney General of Oklahoma and asks leave of the Court to file a motion in the above entitled cause. The Court being advised fully in the premises directs that the said motion be filed with the Clerk which is accordingly done

And thereupon by order of the Court Proclamation of the adjourning of Court having been made by the Crier The Court was adjourned until June 17 '95 at 10 o'clock a.m.

Attest
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the seventeenth day of June in the year of our Lord one thousand Eight hundred and ninety five The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment The above date being one of the regular Judicial days of the June term of Said Court.

There were present Hon Frank Dale chief Justice Hon H W Scott and A G C Bierer associate Justices Hon C R Brooks US Attorney Hon E D Nix marshal Edgar W Jones clerk and W A Taylor Court Crier

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.

Guthrie Daily Leader
332 vs
Evan D Cameron Auditor

And now on this 17th day of June 1895 comes J W Shartel of Counsel for the Territory and asks leave of the Court to file brief in the above cause.

Consent is given and said briefs are accordingly filed.

S B Baird & Son Et al
311 vs
Chas. J Williams

the above cause having come on at this time for argument. Said cause is submitted on briefs and record.

James D. Hurst
240 vs
H. W. Sawyer

And now on this 17th day of June 1895 the above cause having come on for hearing - the cause is at this time taken on the record and briefs.

Purcell
140 vs
Jackson - Interpleader T.
The above cause having come on for hearing - is at this time submitted on the record and briefs.

J. Silverstein & Co
262 vs
The National Bank of Guthrie
And now on this 17th day of June 1895, the above cause coming on for hearing and the Court being fully advised in the premises. The said cause is at this time taken on the record and briefs. Appellant being given 10 days in which to file briefs - appellees are given five days additional time in which to file reply briefs
Cases 260 - 261 263 - 264, to be submitted on argument on case 262.

Solomon and Bennett
140½ vs
Rogers Willis Et al.
The above cause having come on for argument upon a motion for rehearing is at this time argued and submitted
J.Q. Phillips appearing as counsel for appellants
W.A. Taylor appearing as counsel for appellee

Thos J. McMechan
145 vs
J.P. Christy
And now on this 17th day of June 1895 the above cause having come on for argument and the Court being fully advised in the premises. The said cause is at this time argued and submitted. M.J. Kane appearing

as Counsel for Appellant
T.G. Cutlip appearing for appellee.

Prior P. Smith Et al
705 vs.
Johnston Wheeler

And now the above cause having come on for hearing the same is at this time taken on the record and briefs.

The Bank of Perry
793 vs
E.H. Cook Et al

And now on this 17th day of June 1895 the above cause having been reached upon the regular call of the docket said cause is at this time continued until June 1895

J.M. Lee Treasurer &c.
325 vs
Frank Roberts

And now on this 17th day of June 1895 the above cause having come on for hearing said cause is at this time argued and submitted J.B. Moffitt Esq. appearing for appellant M.J. Kane appearing for appellee.

Daily Leader
332 vs
E.D. Cameron Auditor

And now comes Counsel for above appellant and files a demurrer to the answer of appellees in above cause.

And thereupon by order of Court Proclamation having been made by the Crier the Court was adjourned until June 1895 at ten O'Clock a.m.

Attest
Clerk.

United States of America
Territory of Oklahoma

Be it remembered that on this the Eighteenth day of June in the year of our Lord One thousand eight hundred and ninety five, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment the above date being one of the regular judicial days of the June term of said Court. There were present Hon. Frank Dale Hon. J.H. Burford H.W. Scott and A.G.C. Bierer Associate Justices. Hon C.R. Brooks U.S. Attorney Hon E.D. Nix marshal and Edgar W. Jones Clerk and W.H. Taylor Court Crier.

Proclamation of the opening of Court having been made by the Crier, the following business was had and done.

Bank of Perry
293 vs
E.H. Cook Et al

The above cause having come on at this time for hearing the same was argued and submitted J.R. Keaton Esqr appearing in behalf of appellant.

Daily Leader
331 vs
E.D. Cameron Auditor &c,

And now comes J.W. Shartel of Counsel for Territory in the above cause and asks time in which to file briefs in above cause, The Court being advised in the premises, grants 10 ds. for such purpose.

United States of America Ex Rel Search Et al
331 vs
The Choctaw Oklahoma and Gulf RR.

And now on this 18th day of June 1895 the above cause having come on for a decision upon motion to amend the

Summons in above cause and the Court being fully advised in the premises. It is held ordered and adjudged that the said motion be and the same is hereby overruled. Exceptions to said ruling being taken by Counsel for the United States

And thereupon by order of the Court Proclamation having been made by the crier, the Court was adjourned until June 21st 95 at 10 o'clock a.m.

Attest

Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty first day of June in the year of Our Lord One thousand Eight hundred and ninety five. The Supreme Court of the Territory met in the City of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the June term of said Court.

There were present Hon Frank Dale Chief Justice Hons John H Burford H W Scott A G C Bierer and Jno L McAtee Associate Justices Hon. C R Brooks U.S. Attorney Hon E D Nix Marshal Edgar W Jones Clerk and Washington Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

In Re:
Setting dates for Court terms
in the Fourth Judicial District

The order setting dates for the terms of the District Courts in the Fourth Judicial District will be found recorded in full on page of this Journal.

In Re:
Setting dates for Court terms
in the First Judicial District

The above order will be found in full recorded on page of this Journal.

In Re:
Attaching Woodward County
to the First Judicial District

The above order will be found recorded in full on page of this Journal.

In Re:
Attaching Woods County to the 3rd Judicial District for judicial purposes.
The above order made on the 21st day of June 1895 will be found recorded in full on page of this journal.

In Re:
Naturalization of Francis W. Patterson and John Galahin.
Above journal entry will be found in full on page of this journal.

In Re:
Setting dates for Court terms in the 3rd Judicial District
The above order made on the 21st day of June 1895 will be found recorded in full on page of this record.

In Re:
Setting dates for Court terms in the 5th Judicial District
The above order made on this 21st day of June 1895 will be found on page of this record.

Territory
vs
W J Hoff
And now on this 21st day of June 1895 comes D. K. Cunningham counsel for deft. in error and J. B. Moffitt counsel for Territory in above cause, and

asks that the above cause be at this time submitted on the record. The Court after consideration and being fully advised in the premises takes the said cause on records and briefs— and allows counsel ten days time in which to prepare and file brief.

155 John R Clark Et al
vs
Amos A. Ewing

And now comes Attorney General Galbraith and files a motion requiring the above Defendant to show cause why he should not be punished for contempt. The Court after consideration and being fully advised in the premises directs that the Clerk to prepare and transmit to said Ewing the above order. which is accordingly done.

186 Turner Et al
vs
Farmer

The above causes having come on at this time for decision upon a motion for rehearing. And the Court being fully advised in the premises It is therefore held ordered and adjudged that the said motion be and the same is hereby in all things denied.

191 Sharpe
vs
M V Mangle Et al

And now on this 21st day of June [illegible] the above cause coming on for decision upon a motion for rehearing and review and the Court being fully advised in the premises It is therefore held ordered and adjudged that the said motion be and the same is in all things denied. Justice McAtee dissenting in the above conclusion

[illegible] Evans
310 vs
[illegible] Olmer

And now on this 21st day of June 1895 the above cause having come on for final consideration and judgment and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the decision of the lower Court be and the same is hereby affirmed.
Decision by Burford J.
Chief Justice Dale trial Judge below not sitting
Justice Bierer having been of Counsel not sitting.

J. S. DeFord
771 vs
W. W. Painter

And now on this 21st day of June 1895 the above cause having come on for final determination and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed at cost of the above Defendant in Error.
Opinion by McAtee J.
Chief Justice Dale having presided as trial judge not sitting.

United States Ex Rel [illegible]
vs
Choctaw Oklahoma and Gulf R.R.

And now comes Horace Speed of Counsel for the United States in the above cause and asks of the Court that a third summons issue in the above Cause

The Court after Consideration and being fully advised in the premises directs that said 3rd Summons issue.

And thereupon by order of the Court Proclamation having been made by the Crier Court was adjourned until July 22nd 75 at 10 o'clock a.m.

Attest
Edgar N. Jones,
Clerk

United States of America
Territory of Oklahoma

Be it remembered that on this the twenty second day of July in the year of our Lord one thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular Judicial days of the June term of said Court.

There being no quorum present, by order of Chief Justice Frank Dale the Court was adjourned until 10 O'clock a.m. July 23rd 95

Attest
Clerk

United States of America
Territory of Oklahoma

It is remembered that on this the Twenty third day of July in the year of Our Lord One thousand Eight hundred and Ninety five, The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the regular Judicial days of the June term of said Court.

There being no quorum present the Court was by order of Chief Justice Frank Dale adjourned until 10 o'clock am July 24th 95

Attest
Edgar W. Jones,
Clerk.

United States of America
Territory of Oklahoma

Be it remembered that on this the twenty fourth day of July in the year of our Lord One thousand Eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular Judicial days of the July term of said Court.

There were present
Hon. Frank Dale Chief Justice
Hon. John H Burford A.G.C. Bierer and
Jno. L McAtee Associate Justices
Hon. C R Brooks U.S. Attorney Hon. E. D. Nix
U.S. Marshal Edgar W Jones Clerk and W H Sayre Court Crier.

Public Proclamation of the opening of Court having been made by the Crier.
The following business was had and done.

United States Ex Rel Search Et al
3rd vs
Choctaw Oklahoma and Gulf R.R.

And now on this 24th day of July 1895. the Court announces that the above entitled cause will be set down for oral argument on July 25 95.

And thereupon by order of the Court Public Proclamation having been made the Court was adjourned until 10 o'clock am July 25 95.

Attest
Edgar W. Jones
Clerk.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty fifth day of July in the year of Our Lord One thousand Eight hundred and ninety five. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There were present Hon. Frank Dale Chief Justice Hon. John H Burford A G C Bierer and Jno L McAtee associate justices. Hon. C R Brooks U S Attorney Hon E D Nix U S Marshal [illegible] Clerk and W A Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier. the following business was had and done.

United States of America ex Rel Searcy et al
3rd vs
The Choctaw Oklahoma and Gulf R R Co.

The above cause having come on at this time for hearing and the Court being fully advised in the premises. The said cause was at this time argued and submitted Hon C R Brooks U.S. Attorney and Horace Speed appearing for the United States. And John I. Dille and J H McLeod appearing for above defendants in error.

Moses Pittman
156 vs
The City of El Reno

And now on this 25th of July 1895 the above cause having come on for decision upon a motion for rehearing and ~~[illegible]~~ and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said motion be and the same is hereby sustained.

And thereupon by order of the Court Public Proclamation having been made, the Court was adjourned until 6 o'clock am July 21st '75

Attest

Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the twenty seventh day of July in the year of Our Lord One Thousand Eight hundred and ninety five. The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. There were present Hon Frank Dale Chief Justice Hons John H Burford A G C Bierer and Jno L McAtee Associate Justices Hon C R Brooks US Attorney Thos D Nix US Marshal Edgar W Jones Clerk and Wm Keyler Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.

In Re:
Setting dates for holding terms of Court in the Second Judicial District

The above order made on this 27th day of July 1895 will be found recorded in full on page of this Journal.

In Re:
Special term of the District Court at Oklahoma City on Sep Aug 15th 95

The above order made on this 27th day of July 1895 will be found recorded on page of this Journal

In Re:
Special term of the District Court at Kingfisher O.T. on Sept. 2nd 95

The above order made on this 27th day of July 1895 will be found recorded in full on page of this journal

H E Moore Administrator of
704 vs
O K Donaley

The above cause having come on at this time for final decision and the Court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed at cost of the above defendant in error.
Opinion by Dale C.J.
All Justices Concurring.
Scott J. not sitting having presided as trial Judge.

C T Barrett appellant
785 vs
Jesse A Mitchell appellee

The above cause having come on at this time for final decision and the Court being fully advised in the premises
It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is hereby in all things reversed at cost of above appellee.
Opinion by Dale C.J.
All the Justices Concurring.
Scott J. not sitting having presided as trial Judge.

Carter et al appellants
719 vs
Missouri Mining and Lumber Co appellees

The above cause having come on at this time for final decision and the Court being fully advised in the premises,

It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed at the Cost of above appellants
Opinion by Dale C J.
All the Justices Concurring.

Vaughn Lumber Co
219 vs
Miſsouri Mining and Lumber Co
The above cause having come on at this time for final decision and the Court being fully advised in the premises
It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed at cost to above appellants.
Opinion by Dale C J
All the Justices Concurring

Barton Bros Appellants
189 vs
S M Spencer Et al Appellees.
The above cause having come on at this time for final decision and the Court being fully advised in the premises
It is therefore held ordered and adjudged that the decision of the lower Court be and the same is in all things reversed at cost to above Appellees
Opinion by Dale C J.
All the Justices Concurring
Burford J. Not sitting having presided as trial Judge.

Dunham Et al Appellants
17 vs
J R Holloway Appellee
The above Cause having Come on at this time for final decision and the Court

being fully advised in the premises. It is, therefore, held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed at Cost of above appellants.
Opinion by Dale C J
All the Justices Concurring.

City of Oklahoma Appellant
vs
246 James T. Welsh Appellee
The above cause having come on at this time for final hearing and the Court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed at the Cost of above appellants.
Opinion by Dale C.J.
All the Justices Concurring.
Scott J. Not sitting having presided as trial Judge.

County Commissioners of Cleveland Co. appellants
vs
146 W.H. Scarnell Et al
And now the above cause having come on for final decision and the Court being fully advised in the premises It is therefore held Ordered and adjudged that the decision of the lower Court in all things be reversed at cost to the above Defendant in Error. Opinion by Dale C.J. All Concurring.
Scott J. not sitting having presided below.

S.L. James
206 vs
J.B. Cullison
And now the above cause having come on for final determination and the Court being

fully advised in the premises.
It is therefore held ordered and adjudged
that the judgment of the lower Court be
and the same is in all things affirmed
at cost to the above Appellant
Opinion by Dale C.J.
All concurring.
Scott J. having presided as trial Judge not sitting

Isaac W. Renfrow
142 vs
United States

The above cause having
come on for final hearing at this
time and the Court being fully advised
in the premises. It is therefore held
ordered and adjudged that the judgment
of the lower Court be and the same
is in all things affirmed at the cost of
above appellant
Opinion by Dale C.J.
All the justices concurring. except Judge Scott
who acted as trial Judge below.

Merchick Couch
717 vs
Edward Orme

The above cause having
come on for final determination at this
time and the Court being fully advised
in the premises. It is therefore Considered
and ordered and adjudged that the
judgment of the lower Court be in all
things affirmed at cost of the above
appellant
Opinion by Dale C.J. All the Justices concurring.
Scott J. not sitting having presided below.

Territory Ex Rel J.W. Dann
735 vs
D.H. Hull

And now the above cause
having come on for final determination and the Court being
fully advised in the premises.
It is therefore held ordered and
adjudged that the said cause be

and the same is in all things reversed
at the cost of above Defendant in error.
Opinion by Dale C.J. All Concurring except Scott J.
not sitting having presided as trial Judge below.

Wm E Namley
254 vs
Territory of Oklahoma

And now on this day
the above cause having come
on for decision and the Court being
fully advised in the premises
It is therefore held ordered and adjudged
that the judgment of the lower Court be
and the same is in all things affirmed.
Opinion by Dale C.J. All the Justices Concurring
except Burford not sitting having presided
as trial Judge.

M Brans Et Al
714 vs
Tennent Stribling Shoe Co

And now the above
cause having come on for decision
and the Court being fully advised in the
premises. It is therefore considered ordered and
adjudged that the judgment of the lower Court
be and the same is in all things
affirmed with costs.
Opinion by Dale C.J.
All the Justices concurring. except Burford J. not
sitting having preceded as trial Judge.

J R Jackson Et Al
289 vs
Samuel H. Glaze

The above Cause having Come
on at this time for decision and the
Court being fully advised in the
premises. It is therefore held ordered and
adjudged that the judgment of the lower
Court be and the same is hereby
affirmed with Costs
Opinion by Dale C.J. All Concurring except
Burford J. having having presided as trial Judge.

331 Lyman C. Woodruff
vs
Willie A. Wallace)

The above cause having come on at this time for decision and the Court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Dale C.J. Burford J. Concurring
Justices Bierer and McAtee dissenting
Scott J having presided as trial Judge not sitting.

Robert M. Hamill
288 vs
Isaac Jaloux

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the decision of the lower Court be and the same is in all things affirmed with costs.
Opinion by Dale C J. All the Justices concurring except Burford J. having presided as trial Judge.

Adelia Day
311 vs
Mary A Mooney

And now the above cause having come on for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the decision of the lower Court be and the same is in all things affirmed with costs.
Opinion by Burford J.
All the Justices concurring except Dale C-J. not sitting having presided as trial Judge.

Wm H. Dysart Et al
vs
No. Warren H. Sealy

And now the above cause having come on for decision and the Court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with Costs
Opinion by Burford J
All the Justices concurring

R. Clapper
No. vs
Same Et al

The above cause having come on at this time for decision and the Court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Dale C. J.
All the Justices concurring.

Mason
No. vs
Cromwell

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore Considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed.
All the Justices Concurring
Opinion by Dale C. J.

Wesley Myers
232 vs
Wm. E. Berry

The above cause having come on at this time for final decision and the Court being fully advised in the premises It is therefore Considered ordered and adjudged that

the judgment of the lower Court be and
the same is in all things reversed
with costs.
Opinion by Burford J.
All the Justices concurring
Dale C.J. having presided as trial Judge
not sitting.

Peter Doye
vs
243 Mollie Carey

The above cause having come
on at this time for decision, and
the Court being fully advised in
the premises. It is therefore held ordered
and adjudged that the judgment of the
lower Court be and the same is
in all things reversed with costs.
Opinion by Burford J.
All concurring except Dale C.J. not sitting
having presided as trial Judge.

John J. Shelley
222 vs
Alexander Jones

The above cause
having come on for decision and
the Court being fully advised
in the premises. It is therefore
held ordered and adjudged that
the judgment of the lower Court
be and the same is in all
things ~~affirmed~~ reversed with Costs.
Opinion by Burford J.
All the Justices concurring except Dale C.J.
not sitting having presided as trial
Judge.

Henry Nichols
241 vs
Territory

The above cause
having come on at this time
and the Court being fully
advised in the premises
It is therefore held ordered
and adjudged that the judgment

of the lower Court be and the same
is in all things affirmed.
Opinion by Burford J.
All the Justices concurring except Dale C.J.
having presided as trial Judge.

J. F. Matthews
1239 vs
Francis McYoung

The above cause having come on at this time for decision, and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.
Opinion by Burford J. All the Justices concurring except Dale C.J. having presided as trial Judge.

Coyle and Smith
127 vs
Joe Baum

The above cause having come on at this time for final hearing and decision - and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Burford J.
All the Justices concurring except Dale C.J. who presided as trial Judge. and Bierer J. who was of Counsel for Deft in Error.

Zachariah Mulhall
770 vs
Joseph L Mulhall

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed

with costs
Opinion by Bierer J. All the Justices concurring Dale C.J. having presided as trial Judge not sitting

709 Mary A. Mulhall
vs
Joseph F. Mulhall
The above cause having come on at this time ~~upon~~ for decision, and the Court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs
Opinion by Bierer J. All concurring except Dale C.J. not sitting having presided as trial Judge.

710 James D. Hurst
vs
Franklin W. Sawyer
The above cause having come on for decision and the Court being fully advised in the premises.
It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs
Opinion by Bierer J. All concurring except Burford J. not sitting having presided as trial Judge.

736 Dick Abel
vs
W. J. Blair
The above cause having come on at this time for decision and the Court being fully advised in the premises It is therefore held ordered and adjudged that the above cause be and the same is hereby dismissed with costs to appellant.
Opinion by Bierer J. All concurring except Dale C.J. not sitting having presided as trial Judge.

[illegible] McMechan
15 vs
C. Christy
The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower court be and the same is in all things affirmed with costs.
Opinion by Burwell J. All concurring except Burford J. not sitting having presided as trial judge.

J M Bailey
733 vs
August Behrent
The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Burwell J. All concurring except Dale C.J. having presided as trial judge not sitting

Robert Dorman and Cliff Tucker
5[illegible] vs
George F. Saunders.
The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
All of the Justices concurring
Opinion by [illegible] J.
Burford J. not sitting having presided as trial judge.

167 Joseph Stiles et al
vs
The City of Guthrie et al.

The above cause having come on at this time for decision and the Court being fully advised in the premises; It is therefore considered ordered and adjudged that the judgment of the lower Court be modified (See Opinion Record) Costs in said action to be divided between the City and County.
Opinion by Burwell J. all the Justices concurring except Burford C.J. not sitting having presided as trial Judge.

Earnest Sharpe et al
vs
307 James M. Massey et al.

The above cause having come on for decision and the Court being fully advised in the premises; It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs
Opinion by Burwell J. all concurring except Burford J. not sitting having presided as trial Judge.

Earnest Sharpe et al.
vs
308 Neils Esperson et al.

The above cause having come on for decision and the Court being fully advised in the premises; It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.
Opinion by Burwell J.
All the Justices concurring except Burford J. having presided as trial Judge.

309 Ernest Sharpe Et al
vs
Marion N. Kerfoot Et al

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs, Opinion by Bierer J. All the Justices Concurring except Burford J. having presided as trial Judge. Not sitting

310 Ernest Sharpe Et al
vs
El Reno Water Work's Co.

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.

Opinion by Bierer J. All Concurring except Burford J. not sitting having presided as trial judge.

531 The City of Guthrie
vs
Cynthia E. Swan

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore Considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs

Opinion by Bierer J. All the Justices Concurring except Dale C.J. not sitting having acted as trial judge.

345 J. M. Lee Treasurer of Kingfisher Co.
vs
Frank Roberts

The above cause having come on for decision and the court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.
Opinion by Bierer J. All the justices concurring except McAtee J. not sitting having presided as trial judge.

George P. Uhl
745 vs
Eliza Jane Irwin

The above cause having come on for decision and the Court being fully advised in the premises.
It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Bierer J. All concurring except Dale C.J. not sitting

Nelson Irwin
754 vs
Eliza Jane Irwin

The above cause having come on at this term for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Bierer J. All the Justices concurring except Dale C.J. not sitting having presided as trial judge.

Jesse Wallace
713 vs
Walter Wallace
The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.
Opinion by Bierer J All the Justices Concurring

Kansas Moline Plow Co.
715 vs
G. N. Sherman
The above Cause having come on for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court, be and the same is in all things reversed with costs.
Opinion by Bierer J. All the Justices concurring except Dale

George Irwin } Upon application
26 vs } for review and rehearing
Eliza Jane Irwin }

The above Cause having come on at this time for decision upon a motion for Review. The Court being fully advised in the premises announces the same Conclusion as in former decision in the above Cause (found in Opinion Record).
Opinion by Bierer J. All Concurring except Scott J. who dissents.

Alma J. Baldwin
717 vs
John Mason
The above Cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore Considered ordered and adjudged that the

judgment of the lower Court be and the same is in all things reversed with costs. Opinion by McAtee J. All concurring except Dale C.J. not sitting having presided as trial judge.

M. Golden and Co

767 vs

The City of Guthrie

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs. Opinion by McAtee J. All concurring except Dale C.J. having acted as trial judge not sitting.

A T and S F R R Co

133 vs

John R. Johnson

The above cause having come on for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs. Opinion by McAtee J. All concurring except Dale C.J. not sitting having presided as trial judge.

Geo. O. Richardson

159 vs

Orville Shelby

The above cause having come on for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs. Opinion by McAtee J. All the justices concurring except Burford J. not sitting having presided as trial judge.

1611 The City of Guthrie
vs
Nix Halsell and Co.

The above cause having came on for decision and the Court being fully advised in the premises It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.
Opinion by McAtee J. All concurring except Dale C.J. not sitting having presided as trial Judge.

1170 Geo. W. Blevins
vs
A T and S F R R Co.

The above cause having came on for decision and the Court being fully advised in the premises, It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs
Opinion by McAtee J. All the justices concurring except Scott J. not sitting having presided as trial judge

And thereupon by order of the Court Proclamation having been made by the Crier the Court was adjourned until September 6th 1895 at 10 O'clock a.m.

Attest
Edgar W. Jones
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the sixth day of September in the year of our Lord One thousand eight hundred and ninety five the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the June term of said Court.
There were present Hon. Frank Dale chief justice. Hons. John H. Burford, Henry W. Scott, A.G.C. Bierer and Jno. L. McAtee Associate Justices. Hon. C.R. Brooks U.S. Attorney, Wm. Grimes U.S. Marshal, Edgar W. Jones Clerk and W.A. Saylor Court Crier.

Proclamation of the opening of Court having been made by the Crier the following business was had and done.

171 Coyle and Smith
vs
Jas. Sanner

The above cause having been called up by Mr. Asp of counsel for appellant was at this time taken upon briefs upon a petition for review and rehearing.

117 Weber & Irvine
vs
The City of Guthrie.

The Counsel for above appellant at this time ask leave of the Court for the privilege of filing additional briefs in the above cause. The Court after consideration allows fifteen days for such purpose.

3rd. Adelia Day
vs
Mary A. Mooney

Comes now C R Buckner Counsel for above appellant and asks leave to file briefs upon motion for rehearing in the above cause.
The Court upon Consideration denies the application.

In Re: Wm Taylor
upon application for
Writ of Habeas Corpus.

And now comes counsel for the Territory in the above cause and by permission of the Court file a demurrer in the above cause.

In Re:
Naturalization of
Harris

And thereupon by order of the Court Proclamation having been made by the Crier Court was adjourned until 10^30 o'clock M. Sept 1895

Attest
Clerk

United States of America
Territory of Oklahoma

Be it Remembered that on this the seventh day of September in the year of Our Lord One thousand Eight hundred and ninety five.
The Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment, the above date being one of the judicial days of the present term, there were present Hon. Frank Dale Chief Justice Hons. John H. Burford Henry W. Scott A. G. C. Bierer and Jno. L. McAtee Associate Justices.
Hon. C. R. Brooks U.S. Attorney Hon E. D. Nix U.S. Marshal Edgar W. Jones Clerk and W. A. Taylor Court Crier

Public Proclamation of the Opening of court having been made by the Crier, the following business was had and done.

300 Territory Ex Rel. A. H. Huston Co. Atty } Original proceeding
vs } in mandamus,
L. E. Pitts Clerk Dist. Court }

The above cause having come on at this time for decision, and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the writ of mandamus prayed for be and the same is in all things denied with costs to petitioner.
Opinion by Scott J. all the justices concurring, except Burford J who orally dissents, and thereupon comes A. H. Huston petitioner in above cause and asks leave of the court for time in which to prepare appeal from this decision to the ~~Supreme~~ Circuit Court of Appeals of the United States.
The Court after consideration announces that Sixty days will be allowed petitioner for such purpose.

L. E. Pitts Clerk Dist. Court of Logan Co.
316 vs
The Board of County Commissioners of Logan Co.

The above cause having come on at this time

on decision and the court being fully advised in the premises.
It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs.
All the justices concurring except Burford J. who orally dissents and Dale C.J. who acted as trial Judge.
Opinion by [illegible] J.
And thereupon comes A.H. Huston attorney for Logan County and takes exceptions to the Courts decision in above cause and asks leave of the Court for time in which to prepare an appeal [illegible] to the ~~Supreme~~ Circuit Court of appeals of the United States.
The Court after consideration allows the County sixty days time in which to prepare an appeal to the Supreme Court of the United States.

John Dossett
103 vs
United States

The above cause having come on for decision and the court being fully advised in the premises It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs
Opinion by Scott J.
All the justices concurring except Dale C.J. not sitting having presided as trial judge.

Susan J Conkling Receiver
229 vs
Cameron & Co.

The above cause having come on at this time and the court being fully advised in the premises It is therefore considered ordered and

adjudged that the above entitled cause be and the same is hereby dismissed with costs.
Opinion by Scott J. All the justices concurring.

Louis Le Roy
vs
Territory of Oklahoma
Upon application for
Writ of Habeas Corpus.

The above cause having come on at this time for final decision and the Court being fully advised in the premises, It is therefore considered ordered and adjudged that the application of petitioner be and the same is in all things denied with costs.
Opinion by Scott J. All the justices concurring.

Louis Le Roy
750 vs
Territory of Oklahoma

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs. Opinion by Scott J. All of the justices concurring except Dale C.J. not sitting having acted as trial judge.

Frank Brink
753 vs
Territory of Oklahoma

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed.
Opinion by Scott J. All the justices concurring except Dale C.J. not sitting having presided as trial judge.

[illegible] Samuel S. Locke
vs
C P and S F R R

The above cause having come on at this time for decision and the court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs. Opinion by Scott J. All the justices concurring except Hale C J not sitting having presided as trial judge.

110 John Brinckman
vs
Wm Borleder

The above cause having come on for decision and the Court being fully advised in the premises It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs. Opinion by Scott J. All the justices concurring.

173 W H Smith
vs
S. Kempinger & Co

The above cause having come on for decision and the court being fully advised in the premises It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with costs. Opinion by Scott J. All the justices Concurring

755 Territory
vs
Fred H. Wright and
Jerry O'Rourke

The above cause having come on for decision at this time and the court being fully advised in the premises It is therefore considered ordered and adjudged that the judgment of

the lower Court be and the same is in all things affirmed with costs
Opinion by Scott J. all the Justices concurring except Dale C.J. not sitting having acted as trial judge.

Territory
vs
756 John Delana and Clo Bercome

The above cause having come on for decision and the Court being fully advised in the Premises
It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with Costs.
Opinion by Scott J. All the Justices concurring except Dale C.J. who acted as trial judge.

E.J. Kelley
[illegible] vs
A.J. Seay

The above cause having come on for decision and the Court being fully advised in the Premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with costs.
Opinion by Scott J. All the Justices concurring.

Bank of Perry
293 vs
C.H. Cook et al

The above cause having came on at this time for decision and the Court being fully advised in the premises.
It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed
Opinion by Scott J. All the Justices concurring.

204 R. S. Reaves appellant vs James E. Oliver appellee — Appeal from Dist. Court of Logan County.

The above cause having come on for decision upon a petition for review and rehearing, and the court being fully advised in the premises It is therefore considered ordered and adjudged that the said petition be and the same is in all things denied
To which ruling of the court counsel for appellant excepts to— and asks for time in which to perfect appeal from said ruling to the Supreme Court of the United States, The Court after consideration allows said appeal and sixty days time given for such purpose, and fixes appeal bond in the sum of Two thousand ($2,000.00) Dollars. Counsel for appellee objects to supersedeas being granted in above cause pending appeal, and the Chief justice announces that the matter of supersedeas should be presented to one of the Associate Justices. Eight days time is given appellant in which to perfect appeal bond.

204 R. S. Reaves Appellant vs James E. Oliver Appellee — Petition for rehearing and review

The above petition for rehearing having been under consideration and the Court being fully advised in the premises. It is considered ordered and adjudged by the Court that rehearing and review be and the same is hereby refused and denied.

X